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THE NEWSPAPER AND AUTHORITY

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THE NEWSPAPER AND AUTHORITY

BY

LUCY MAYNARD SALMON

> "It is a strange desire to seek power and to lose liberty; or to seek power over others, and to lose power over a man's self."—*Francis Bacon.*

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PREFACE

Mea apologia may well be the opening words of the preface of a second work dealing with the press. These volumes may seem to come with ill grace from one who has never had any connection with the newspaper press and who can make no claim to being an historian,—our language is defective in not having a designation for those who are students but not writers of history. Yet the apology lies in the hope that something may be seen at long range that may not be observed by those actively at work in producing the newspaper and history.

The object of the present volume is to discover, if possible, how far the restrictions placed on the newspaper press by external authority have limited its serviceableness for the historian in his attempt to reconstruct the past. The newspaper press is responsible for the limitations that have been developed from within itself, but it can not be held responsible for those that have been developed from without.

The special sense of obligation to the groups of colleagues, other friends, and libraries that was expressed in the companion volume, *The Newspaper and the Historian*, remains in connection with the help given by them in the preparation of the present volume.

But there are yet other friends who have directly contributed to both volumes. They are those who have given a sympathetic ear as each new interest in the subject has developed, even though, like the wedding guest, they could but choose to hear; who have given encouragement by their own cheerfulness and courage shown under depressing conditions; who in emergencies have held out the unfaltering helping hand; who have made smoother the round of daily life and have made possible some undisturbed hours and uninterrupted days; who have made the back yard gay with crocuses and tulips, honeysuckles and hollyhocks, roses and lilies, marigolds and zinnias, coreopsis, dahlias, and artemesias. To one and all appreciation goes for this unconscious help, and for the co-operation and the division of labor that have been of such material assistance.

And there are still many others,—known by name and by word, yet not always by face,—who by generous gifts of new ideas, and fresh points of view; by the example of careful, accurate scholarship; by patient research through which they have advanced the boundaries of knowledge; by the vision they have had from the heights reached by them, but seen by others only from afar; who, in countless ways, unknown to themselves, have given daily help and encouragement. May they one and all say with the gentle New England poet,

> "And thanks untraced to lips unknown
> Shall greet me like the odors blown
> From unseen meadows newly mown,
> Or lilies floating in some pond,
> Wood-fringed, the wayside gaze beyond;
> The traveller owns the grateful sense
> Of sweetness near, he knows not whence,
> And, pausing, takes with forehead bare
> The benediction of the air."

L. M. S.

Poughkeepsie, New York,
September 4, 1923.

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CHAPTER I

AUTHORITY AND THE NEWSPAPER

"It must however be allowed, that the unbounded liberty of the press, though it be difficult, perhaps impossible, to propose a suitable remedy for it, is one of the evils attending mixed forms of government."—*D. Hume.*

"Toutes les fois qu'il parviendra une nouvelle défavorable au gouvernement, elle ne doit point être publiée, jusqu'à ce qu'on soit tellement sûr de la vérité, qu'on ne doive plus la dire, parce qu'elle est connue de tout le monde."—*Napoleon.*

"Un journal n'est et ne peut être qu'une concession de l'autorité, comme un brevet d'imprimerie, et pour la même raison, et par conséquent en cas d'abus, révocables l'un comme l'autre à la volonté de l'autorité; et il n'y a pas de gouvernement possible, si toutes les concessions que l'autorité peut faire deviennent par cela seul des propriétés."—*Bonald.*

"A government, exercising a censorship over the press, may permit considerable freedom of discussion upon religion, philosophy, and the history of past ages; but with regard to the events of the day, and its own acts, its enforcement of silence is in general inexorable."—*G. C. Lewis.*

"There has never been an hour when the first aid to autocracy has not been the placing of the press in leash."—*M. E. Stone.*

"The most essential problem in the making of a durable peace is in the dissolution of any partnership that may exist in any country between government and the press."—*D. Lawrence.*

Authority long antedated the advent of the newspaper. In the dim twilight of the human race authority existed, and as far back as the history of mankind can be traced authority has by its very nature opposed the entrance of new ideas. Authority may be regarded as having its source in a divine right to rule; or as deriving from the expressed wish of the people, or from a long line of ancestral rulers; or it may have its origin in usurpation, or in revolution. But whatever its source may have been, its characteristics remain the same. Authority by its very nature is conservative, it conforms to existing conventions, it upholds the *status quo*, it seeks to pass on unchanged from one generation to another its inherited, conferred, or usurped functions. If at times existing authority is overthrown by a group dissatisfied with the way in which authority has been exercised, the supplanting authority quickly acquires the occupational disease and holds itself immune from criticism. It is a familiar saying that the quickest way of turning a radical into a conservative is to give him an office,—a judgment borne out by innumerable illustrations in history.

It was inevitable that constituted authority was in the beginning opposed to the establishment of the press. Having long controlled the duplication of manuscripts through its control of education, the Church assumed a control of the printing-press and the imprimatur of the authorities of the Roman Catholic Church is still required on all books published by its officials. With the separation of temporal from ecclesiastical authority, the State on its part assumed the right to control the secular press and with the advent of the periodical secular press there began contemporaneously the long conflict between two opposing forces. It is most significant that it was at practically the time James I was writing his *Defense of the Right of Kings*, in an effort to assert the independence of the secular authority from the authority of Rome, that the origin of another rival of the divine right was found in the beginnings of the English periodical press. It is again significant that when fifty years later the authority of the people was temporarily usurping the authority of the king, its control over the press was exercised through Cromwell, and that when Parliament later took permanent control of the executive, it in turn directed the control of the press through authority personified in Queen Anne.

Thus by inherited and by acquired characteristics authority and the press have been antagonistic, the conflict between the two has never been definitely settled, and in its very nature it seems incapable of settlement. The press in all its forms has had as its chief function the communication of new discoveries, the transmission of new ideas, new opinions, new interpretations, but even in its most radical forms the ordinary book press has in normal times come to be accepted by secular authority as inevitable and probably comparatively harmless.[1]

But the functions of the periodical press are more dangerous to established authority. The newspaper press in particular, with its long line of antecedents, has been primarily concerned with the unusual, with the surprising events in nature, and with the unexpected deeds of mankind. Authority has not troubled itself with newspaper reports of fire and flood, of earthquakes and volcanic eruptions, of any of the disasters of nature, except in so far as these reports have indicated remissness on its part, or as they have discouraged settlements in these localities.

But authority has always been vitally concerned with the thoughts and deeds of men that have affected its own existence. In so far as the newspaper has occupied itself with the abrupt movements of nature it has not incurred the hostility of authority, but since the proper study of mankind is man, the readers of the press have had only a momentary interest in the catastrophies of nature apart from their effect on men. It has, however, been inevitable that the newspaper should be primarily concerned with human lives and only secondarily with nature, and that, only to the extent of its relationship with men. Thus it has come about that from the earliest definite records authority has opposed the transference from person to person of all that material concerning men with which the newspaper to-day is occupied. Freedom of thought, freedom of speech, freedom of the press, freedom from the right of search, freedom of assemblage have all been inimical to self-constituted and self-perpetuating authority, while all forms of freedom have been willing instruments in the promulgation of discoveries, in the transmission of new opinions, in the circulation of new ideas. Authority is conservative, freedom is progressive, conflict between the two is inevitable. A perfect society would result from the equilibrium between these two forces of progress and of conservatism,—an equilibrium as yet unattained and but dimly discernible. As the newspaper has more and more been occupied with spreading abroad the news of progress, it has correspondingly been hampered by the resistance of authority to such dissemination.

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[1] The recrudescence of the censorship of books may perhaps be regarded as an outgrowth of abnormal conditions resulting from the war.

But authority represents a state of mind and a condition, rather than a definite, fixed grant or assumption of powers. Its manifestations are varied and it may be exercised by state or church; by public opinion; by education in so far as it has partially freed itself from the control of either or both; by capital or by labor in so far as either or both has been able to exercise supremacy; by political parties as long as they receive the majority vote; and by boards of aldermen and common councils while they are "in" with the upper ranks of the political hierarchy. The authority of the so-called learned professions is binding within a definite field, but not more so than are the mandates of social circles on all questions of social forms and conventions, not only because it is authority but because it is the line of least resistance.

It is an inherent belief in its own infallibility that leads authority in the State to resent the intrusion of new ideas, while authority in the Church has always been at war with research.[2] When the press has been under the authority of both the State and the Church and these two manifestations of authority have been mutually antagonistic, while at the same time mutually dependent on each other, the press has doubly suffered. Thus the newspaper press in France was long between Scylla and Charybdis. It was under the immediate domination of the State, but during periods when the State was not strong enough to withstand the rival authority of the Church and thus found it to its advantage to keep on amicable terms with it, the press suffered at the hands of both forms of authority. This explains why it was long impossible for a liberal Roman Catholic press to exist in France, as is illustrated by the prolonged controversy over *L'Avenir*.[3] Lacordaire, Lamennais, and Montalembert were compelled to abandon their efforts to establish a liberal religious press because the State was unwilling and unable to break with the Church and the Church condemned *L'Avenir*. On the other hand, excess of zeal for the ultramontane cause brought in turn its own dangers. Veuillot suffered imprisonment and the suspension of *L'Univers* for his violent attacks on the state as piloted by Napoleon III, for his opposition to liberal Catholicism as exemplified in Montalembert and later in Père Hyacinthe, and for his attacks on the Italian government in its differences with the Papacy.[4]

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[2] A. D. White, *The Conflict of Science and Religion*, 2 vols.

[3] A full account of the controversy is given by Mrs. Oliphant, *Memoir of Count de Montalembert*, 2 vols. A briefer, but more critical account, is that of H. J. Laski, "Lamennais" in *Authority in the Modern State*, pp. 189–280.

See also Count de Montalembert, *Memoir of the Abbé Lacordaire*, pp. 12–38, and Abbé F. Lagrange, *Life of Monseigneur Dupanloup*, I, 95–102.

This controversy was prolonged in France between the rival authorities of state and church; between the conflicting theories of the rightful nature of the state as upheld by imperialists, monarchists, or republicans; between the different aspirants for ascendency in the state; and between the ultramontane and the liberal wings of the Roman Catholic Church. The duration of the struggle explains in large part the exhaustive legislation in France dealing with the newspaper press. This exceeds in amount, in minuteness of detail, and in its oscillation from extreme restriction to a fair degree of liberality in favor of the press the legislation of any other country. No other legislation concerning the press records so unerringly the inherent antagonism between authority and the newspaper.[5] It is also true that in no other country has so thorough, so minute, so exhaustive a study been made of the history of the newspaper press,[6] of cen-

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[4] E. Veuillot, *Louis Veuillot*, 3 vols.

See also A. Rhodes, "A Pugilist of the Press," *Galaxy*, March, 1876, 21:377–388 and E. Myers, "Louis Veuillot," *Catholic World*, August, 1903, 77: 597–610.

[5] Illustrations are: G. Rousset, *Code générale des lois sur la presse*, Paris, 1861; J. P. Chassan, *Traité des délits et contraventions de la parole de l'écriture et de la presse*, 2 vols., 2nd ed., Paris, 1846; J. P. Chassan, *Lois sur la presse depuis le 25 février 1848*, Paris, 1851.

[6] The earliest history noted is that of M. Camusat, *Histoire critique des journaux*, 2 vols. in 1, 1734; E. Hatin published in 1846 a small volume entitled *Histoire du journal en France*,—subsequently, in a third edition, expanded into eight volumes and entitled *Histoire politique et littéraire de la presse en France*. This was followed by *Les Gazettes de Hollande* (1865); *Bibliographie historique et critique de la presse périodique française* (1866); *Manuel de la liberté de la presse, 1500–1868*, 2 vols. (1868); *Théophraste Renaudot et ses "innocentes inventions"* (1883); and minor works on Renaudot.

M. Hatin still remains *facile princeps* the historian and bibliographer of the periodical press in France, but he was preceded and also followed by a large number of historians of special periods of the press, of individual newspapers, and of special questions concerning it. This is illustrated by such works as Mr. Van Effen, *Le nouveau spectateur François* (1848); J. Brisson, sorship in all its forms,[7] or of all the manifold controversies between authority and the press as has been the case in France. Neither authority nor the press has been willing to yield its position, to compromise, or to acknowledge defeat. Authority has always found its defenders in France,[8] while the press has with equal vigor flung defiance at it. Thus the press in France has felt the double necessity of resisting the internal authority of the State and the external authority of the Church.

Not only has authority been paramount in Church and State, but everywhere it has made itself felt on the side of conservatism. The profession of law is built on precedent and reports of decisions establishing new precedents are always looked at askance. News of discoveries in medical science has been disconcerting to the established profession,—it carries on research within its own group, but it resents those discoveries made without the pale. Any new group that emphasizes, or may overemphasize, phases that the recognized schools of medicine have overlooked or neglected seems an intruder. Secret diplomacy has resisted the open door. Education has handed down from

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F. Ribeyre, *Les grands journaux de France* (1862); N. Fourgeaud-Lagrèze, *La petite presse en Provence* (1869); Ch. de Monseignat, *Un Chapitre de la Révolution française, ou histoire des journaux en France de 1789 à 1799;* E. Biré, *Alfred Nettement, sa vie et ses œuvres. La Presse royaliste de 1830 à 1852* (1901); *Les Journaux rouges. Histoire critique de tous les journaux ultra-républicains publiés à Paris depuis le 24 février jusqu'au 1er octobre, 1848;* J. Lemonnyer, *Les Journaux de Paris pendant la Commune;* A. Nettement, *Histoire politique anecdotique et littéraire du Journal des Débats,* 2 vols. 1838.

[7] Many of the works dealing with the various aspects of censorship are sufficiently indicated in subsequent chapters.

[8] This is typically illustrated in the career of Baron de Frénilly. "I spoke exclusively against the press," he says, "which was daily becoming more and more violent, and completed this daring attack by framing a Censorship Bill with Peyronnet. When the session was over the censorship was reestablished, and the 'Pointe' held me responsible. A committee for the supervision of the Press was organised, and nine tyrants, of whom I was one (the others were Bonald, D'Herbouville, Breteuil, Maquillé, Ollivier de la Seine, Cuvier, Broë, and Guilhermy), met once a week at the Chancellor's office to receive the reports of the censors, who were to be found wherever a newspaper was published. Though the Ministry had not the courage to maintain this committee more than four months, it must be confessed that in this short time it produced a surprising calm in the hurricane of public rumours. It brought down upon us an angry pamphlet by Chateaubriand, who had formerly demanded capital punishment against the liberty of the Press and said: 'The granting of its liberty would make me prefer that of Constantinople.' "—*Recollections of Baron de Frênilly*, pp. 353–354.

generation to generation generally accepted truths and has often represented immobility in thought and method. Capitalism resists new ideas in business and industry,—improvements may be made along old lines, but no radical changes must be suggested. Labor has always resisted the introduction of labor-saving machinery. The paper criers in early eighteenth century Scotland held the balance of power between rival newspapers and their authority in at least one instance meant that of life and death to the competing journals.[9] News-gathering itself was twenty-five years ago controlled in America by the authority exercised by three men and "their control became quite as menacing as that of any Government autocrat." The press itself had to revolt against this and "private commercial control broke down just as tyrannical Government control had done."[10] Whenever and wherever the press has reported disturbances in the established order, it has incurred the open or the secret hostility of that order. All forms of authority may everywhere be nominally in favor of progress, but not progress in this particular form, at this particular time, from this particular source, for this particular end.

Authority in the guise of public opinion has also often been inimical to the press. *Vox populi vox dei* has been the final court of appeal when authority in other forms has been ineffective. In times of war public opinion has silenced the press when the press has attempted to turn from war towards peace. No newspaper can, without incurring grave danger, oppose the popular clamor for war and this vague, elusive public opinion has the same compelling force as has authority in its regularly constituted form. No definition of patriotism has ever been formulated that has satisfied more than a fraction of the public, yet when public opinion has declared a certain procedure or announced policy to be unpatriotic, even though patriotism has not been defined, the press does not withstand the pressure of authority thus exercised.

Thus authority is not in any way restricted to that exercised by the state in any capacity, but its forms of manifestation are legion, as are the sources from which it is derived, and in all of its forms it has always resisted innovation. This is in large part the explanation of the fundamental antagonism of authority towards the press. The function of the press is to give the news and authority by its very nature is opposed to whatever is new. In this position authority is supported by human society since this too always and everywhere steels itself against innovation. The complaint is made that the press negatively does not give the news and that it positively suppresses the news. But it may at least be questioned whether the public really wishes to know the news since it, too, "feels the pain of a new idea."

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[9] W. J. Couper, *The Edinburgh Periodical Press*, I, 132.

[10] Address at a meeting of more than half the 1,100 members of the Associated Press.—New York *Evening Post*, June 10, 1918.

The press is thus doubly at a disadvantage between the upper and the nether millstone. Authority resents the new and often silently, perhaps unconsciously, exerts itself to prevent change through the circulation given news. Those not sharing in any form of authority are prone to rail at the press as being capitalistic, capital being the form of authority most in evidence and therefore given the blame that should be distributed among all forms of authority. But the opposition to what the press represents is not that of a particular concrete authority, it is that of authority in the abstract,—there is a fundamental incompatibility between the two principles of authority and research and any reconciliation between them is as difficult as is the problem of squaring the circle.

It is this eternal conflict between these two principles of authority and research that is the despair of the historian. More and more he is coming to look to the press for a large part of the raw material from which he constructs his account of the past, and more and more he becomes conscious of the baffling restraints put upon it by authority in all its multifarious forms. More and more he becomes conscious that at times certain parts of the press have worn their chains willingly and even proudly. Deference to authority may also be a characteristic of the press and to consort with kings and courtiers becomes to many editors the acme of ambition. The powerful London *Times* under the great Delane who dined out nearly every night and at tables "where," as Cobden says, "every guest but himself was an ambassador, cabinet minister, or a bishop,"[11] was traditionally on the side of authority. The influential representatives of the English press that cheerfully paid the taxes imposed by authority on the press because of the compensations thereby enjoyed in the form of free postage and a good conscience in the matter of loyalty became themselves the upholders of authority. The metropolitan press whose editors become "lords of high degree" and the provincial press whose editors to-day receive the lower titles of nobility have in so doing arrayed themselves on the side of authority. The press that receives a large share of public advertising, the press whose editors are sent on foreign missions or whose more humble representatives are made village postmasters are also under the panoply of authority. But between abstract authority and the free press there can be no harmony and no reconciliation.

It has been in authority in the person of the State that the press has found its greatest antagonist. The State probably more than any other form of authority has resented the appearance of a possible rival and the press has only too often given reason to be regarded as such. When the omnipotence of the State encounters the omniscience of the press, the advantage in the contest is with the State. Thus at every turn the State has sought to thwart the press, to lessen its influence and to control its circulation. When it has learned its advantages, it has sought to use the press for its own ends.

The first form of control has been that of a preventive censorship that, in the form of a license or an imprimatur, in the requirement of "caution money," or in the demand for the inspection of all printed matter before it passes into circulation, or through some form of previous sanction, seeks to prevent the dissemination of unauthorized news and to establish a guarantee against it.

The increase in the number of periodicals makes difficult the long continuance of a preventive censorship and it gives place to a punitive censorship that has the effect of *ex post facto* legislation. A preventive censorship exercises a previous control over the press and amends writings intended for publication; a repressive censorship criticises articles after publication and punishes the newspaper that has accepted them. A preventive censorship notifies the press that an article is displeasing to authority and its publication is therefore forbidden; a repressive censorship notifies the press that an article has been displeasing, that it ought not to have been published, and that therefore the newspaper must be punished. In a preventive censorship authority itself assumes the responsibility for what is to be or is not to be published, while in a repressive censorship the responsibility is put on the press. A preventive censorship punishes in advance, a repressive censorship punishes after the fault has been committed. In both forms of censorship authority seeks to control the publication of printed matter it deems inimical to its own interests.

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[11] John Morley, *Life of Richard Cobden*, p. 594.

But all forms of censorship make extraordinary demands on time and treasury without, in spite of these expenditures, fully accomplishing the object sought. The pre-censorship of specific articles and the after-punishment of censored articles must be abandoned in normal times, or must at least be accompanied by the larger and even more important function of the regulation of the press by authority. The general regulation and control of the press may be exercised through "taxes on knowledge" in the form of taxes on raw paper, on advertisements, and on the printed newspaper; it may be exercised through the suppression of the foreign language press and the vernacular press, it may be exercised through the denial of the second class mail privilege to such papers as authority deems objectionable; it may by the introduction of a zone postal system bring about the untimely end of many periodicals both desirable and undesirable. Authority in a score of ways may lay a heavy hand on the press and thus with comparative ease it exercises a general regulation of the periodical press covering a wide extent of territory.

The inevitable result of the regulation of the press by authority has been a long train of protests on the part of the press, the formation of a large body of sympathizers, the wresting of its attacking weapons from the hand of authority, and the achievement of at least partial freedom of the press.

Yet authority is never vanquished. Accepting freedom of the press as a necessary evil, it quickly circumvents it and reaches out for new worlds to control. Authority learned the advantages of the press to itself through the harmless press agent of the vainglorious aspirant for personal or political publicity and it has everywhere sooner or later recognized the power of the individual press agent as he has developed into the corporate publicity committee, and it has carried on an extensive propaganda reaching out to the uttermost parts of the earth.

Thus authority in its relation to the newspaper has passed from one extreme of compelling previous authorization before a newspaper can be published to the other extreme of effort to use the newspaper press for propaganda to entrench itself the more firmly in its position, but it has never retreated from its basic position that by divine right the decision in regard to the nature and the degree of control to be exercised rests with itself.

The desire of authority to control the press has been noticeably evident in its relation to the criticism of itself by the press, since the sensitiveness of authority to all criticism has been characteristic of authority in every form, in every country, in every time. It may be in Russia where prior to the revision of the press laws in 1905 the press was forbidden to use the word "authorities" or "bureaucracy;" to criticise the police, or the unsanitary condition of the barracks, or the bad administration of hospitals, or the number of schools; to make skeptical comments on the inefficiency of the rural police or district clerks; to attack bribery; to print disrespectful remarks about the exploiters or the extortioners of the peasants or to express doubts as to their usefulness; to make use of dots or of exclamation marks.[12] It may be in China where the press laws of 1914 forbid the publication of the particulars of judicial proceedings held *in camera*, or false charges against the government, or attacks on the form of government, and also forbid the sale of foreign publications containing similar items.[13] It may be in Mexico where a decree operative in 1917 prohibits malicious expressions calculated to excite hatred of the authorities, the army, the national guard, or the fundamental institutions of the country; and that forbids the publication of news that the authorities decide is detrimental to the public good.[14] It may be in France where papers have been suppressed for attacks on the government and proof sheets have been returned with the marginal comment that attacks on the government are forbidden according to ministerial instruction, even though no such instructions had been communicated to the press.[15] It may be in Scotland where a newspaper was seized by the police for printing an account of a conference between the British prime minister and Glasgow trade union officials "which account was not approved by the British censor."[16] It may be in England where critics of the government have been punished,—in one case for having a pamphlet written in 1911 made up largely of Scripture quotations; in another, two ladies were prosecuted for a leaflet in which the two passages most objected to by the prosecuting council were drawn from an article in the *Edinburgh Review* of 1813 and from one written in 1902 by the Home Secretary of the British Cabinet in 1916.[17] It may be in Canada where a trade and labor council ordered a sympathetic strike affecting about 30,000 trade unionists and the business agent of the strikers announced, "There will be no more newspapers until we decide to let them appear. We know the effect that a newspaper has in moulding public opinion, and that in the past such opinion has been moulded against our class. We realize that if we had left the press open it would have taken advantage of the hard situation by trying to show the public that the strikers were weakening in their position by the opening of food depots."[18] "So the press was closed." It may be in Bohemia where textbooks in French,—grammars, geographies, and books of song,—were considered to express disloyal sentiments against the Austrian monarchy.[19] It may be in Holland where the military authorities "make use of the power given them for quite different reasons, to punish an organ of the press that happens to write things that displease them."[20] It may be in Italy where a cabled summary of an article in the *Wall Street Journal* criticising President Wilson's attitude towards Italy is suppressed.[21] It may be in Japan where thirty newspapers were suppressed because of attacks on the government over the high cost of rice.[22] It may be in Servia where a single word supposed to be against the government, has caused the confiscation of an important newspaper.[23] It may be in Spain where an anti-patriotic campaign carried on by the liberal and republican press led to confiscation and prohibition on news unauthorized by authority.[24] It may be at an international meeting of women where "the attitude taken by the press toward the Hague meeting was to a degree the reflection of what was conceived to be the governmental attitude."[25] It may be in a free city of Germany where "the newspapers have been unofficially instructed not to make unnecessary attacks on the United States."[26] It may be in Imperial Germany where the press has been said to be "the most docile, well-drilled and controlled, the most supine press in all international questions of any in the world. On foreign affairs, it is the instrument of authority, not the expression of the popular sentiment or will. In such matters it waives all right of independent opinion."[27] It may be in

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[12] New York *Evening Post*, March 14, 1905. It is of interest to note that authority has not concerned itself alone with maintaining its position through the press. Art in all its forms has also been held in leash and the stage, for example, was forbidden to touch on any theme that concerned the government, courts of justice, the police, higher education, the Jewish problem, or any question of political or social interest.—A. Rovinsky, *Evening Post*, October 14, 1905.

A later correspondent writes, "What a man personally believes has nothing to do with the way he votes on any question. He votes the way the 'higher power' instructs him knowing that to refuse means Siberia."—Ivan Chazel, New York *Tribune*, January 22, 1917.

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[13] New York *Evening Post*, May 13, 1914.

[14] New York *Evening Post*, April 10, 1917.

[15] New York *Tribune*, November 26, 1915.

[16] New York *Evening Post*, January 24, 1916.

[17] H. W. H., "Critics of the Government Punished in England," New York *Evening Post*, July 3, 1916.

[18] New York *Times*, May 19, 1919.

[19] *Christian Science Monitor*, June 27, 1916.

[20] New York *Tribune*, October 2, 1917.

[21] New York *Times*, February 23, 1920.

[22] New York *Tribune*, September 10, 1919.
See also S. Greenbie, "Press Censorship" *Japan Real and Imaginary*, pp. 402–408.

[23] P. R. Radosaoljevich, "The Servians and Austria," New York *Evening Post*, December 8, 1908.

[24] New York *Evening Post*, July 23, 1909.

[25] Jane Addams, "Peace and the Press," *Independent*, October 11, 1915, 84: 5556.

[26] New York *Times*, May 16, 1917.

[27] Austin Harrison, "The German Press," *North American Review*, August, 1907, 185: 724–736.

America where a board of aldermen forbids the sale in the city of newspapers in the German language on the assumption that they are unfavorably criticising authority.[28] And New York State had the Lusk Committee and its trail from 1920 to 1923.[29]

Authority thus protects itself by guarding against criticism, it has a fellow feeling for all forms of authority, it extends its protection to them, and it resents any and every intrusion into its domain. With the press, authority has no feeling of kinship; authority has regained every inch of ground that the press has gained in the struggle between the two, and has used it as a vantage ground for fresh gains. If at times the antagonism of authority to the press seems quiescent, it is often but the lull before the storm, and it is difficult to conceive of a time or place where this contest is not either active or at least in temporary abeyance.

This situation must be accepted by the historian in his use of periodical literature as historical material. But it remains for him to determine the nature and the degree of restraint that authority has exerted over the press and thus to ascertain how far the press may be considered authoritative. In a companion volume, *The Newspaper and the Historian*, the effort has been made to show how far the press may be considered authoritative from an esoteric standpoint. How far does the control of the press by an exoteric power limit its serviceableness to the historian?

[28] New York *Evening Post*, May 24, 1919.

[29] *The Truth about the Lusk Committee.* 1920.

CHAPTER II

THE THEORY OF CENSORSHIP

"A censorship of the press is thus a necessity that power may have adequate protection. Only in this way can men of evil disposition be prevented from attacking every necessary institution of society."—*Bonald*, translated by Laski.

"For the great enemy of knowledge is not error, but inertness. All that we want is discussion, and then we are sure to do well, no matter what our blunders may be. One error conflicts with another; each destroys its opponent, and truth is evolved."—*Buckle*, cited by the New York *Evening Post.*

Censorship of the press as it is known to-day seems like Minerva to have sprung full armed from the head of Jove. Yet it is but the modern manifestation of the desire of authority to have all minds run in harmony with itself and in spirit it has been, as has been seen, coeval with authority itself. Control over action, and to that extent control over opinion, has been a prerogative of authority, and the application of the principle to the printed book and later to the periodical press has been a natural development.

Censorship is not a new measure,—it is much older than the newspaper and even older than the invention of printing, although naturally the policy of censorship was widely extended after that time. It was first used by the Church of Rome, when in 1501, Pope Alexander VI issued a bull against unlicensed printing and thus introduced the principle of censorship; it was directed against books; it was exercised by the Church to protect its members against the insidious evils of heresy; and it was accepted by all countries under the jurisdiction of the Church of Rome. The State later applied censorship of the press to pamphlets and periodicals to protect itself against attack, and this came to include the special departments of foreign affairs, of military affairs, and of finance, as well as the State as an entity. This political censorship has been accepted, though not always without protest, in all countries where the authority to rule is accepted as of divine origin; it has been acquiesced in, even where this source of authority is denied. The right to exercise a moral censorship has come to be demanded by society and to be exercised where questions of morality are involved, but its use is generally restricted to books and to dramatic representations. Religious, political, moral, and all other censorships have at different times and places been recognized as the inevitable accompaniments of autocratic power, but wherever and whenever found they limit the value of the newspapers affected by them, as far as such newspapers are to be used as historical material.

It must be recognized that, in theory, censorship of the press differs fundamentally from freedom of the press. It means the right to publish only what it has been definitely permitted to publish, while freedom of the press has often been held to mean the right to publish what has not been definitely forbidden. Censorship of the press is negative,—a denial of a right or privilege except as used under authority; freedom of the press is positive,—the exercise of a right or privilege, except under specific conditions. Censorship of the press is an adjunct of absolute government, freedom of the press and absolute government are incompatible. In any free government a medium for the exchange of ideas is necessary; in an absolute government there are sometimes fewer ideas to be exchanged among the people and therefore a medium of exchange is less necessary. The struggle has everywhere been at first a negative one directed against censorship of the press, while later it has become a positive one for freedom of the press.

The theory of censorship has thus been in its origin that of a protection of the weak against evil or pernicious or dangerous thought. Such protection, however, assumes the right on the part of established authority to determine what is dangerous and a renunciation of the right of inquiry on the part of all not in authority. In normal times the theory of the right is not abandoned, but it is held in abeyance, and no protest against the abstract theory is made. In time of revolution, of warfare, of financial crises, of any form of disturbance, the theory of the right of censorship again comes into the foreground and it is vigorously enforced.

But it is difficult to deduce any theory of censorship of periodical literature that has been consistently held at all times in all countries. Protection is the one principle held in common by all forms of censorship, but at one time authority may wish to protect the minds of men from dangerous theological heresies, at another from political heresies, again it is social, or industrial heresies that are held to be dangerous. Another group of dangers concerns physical and material conditions and censorship is established to protect these. Morality is ever subject to attack and censorship again is evoked to protect the weak. Body, mind, and soul are alike to be protected by censorship.

Yet this is the theory held by authority, not that held by the press, by readers of the press, or by historians, for these theories run counter to each other. Cross sections of these theories show variations in different countries, different degrees of opposition to the theory of authority, and different grounds for such opposition.

The Englishman has ordered his life on the individualistic theory and has always resented external control, but his opposition has been to the regulation of the press by authority rather than to censorship of the press. No exhaustive study of censorship of the periodical press has been made either in England or in America,—an indication of the comparative lack of occasion for such discussion. In France many elaborate brochures, monographs, and exhaustive treatises have been written on the censorship of the periodical press,—more probably than are found in any other language. This is largely due to the oppressive restrictions placed on it by authority as well as to the vacillations in theory and in policy of enforcing it. The German love of order and the well-established political hierarchy of the Empire apparently enabled the press to adapt itself somewhat easily to the theories of authority without accepting them.

In countries where there has never been entire freedom of the press and where the government has absolute control of the press, either through legislation or subvention, the theory of the proper censorship of the press may demand the entire suppression of the press of a special faction, as that of the anarchists or the nihilists; it may be specially directed against the press of a particular party, as the Social Democrats; it may suppress not only all news regarded as in any degree harmful, but also all news not positively beneficial to the government; it may exercise everywhere the right of selection; it may claim the right of substituting for news supplied by the press that furnished by itself; it may even disseminate false news; it may use the press for the publication of official reports that may be "doctored" for consumption; it may forbid press comment on such reports; it may intern editors in time of war and find them guilty of *lèse majesté* in time of peace; it may prohibit discussion of war goals,[1] reprisals, extension of territory, and of peace.

It has been a comfortable belief long and widely held that censorship of the press thrives only in an atmosphere where governments are not to be criticised. De Tocqueville wrote in 1835, "The censorship of the press and universal suffrage are two things which are irreconcilably opposed,"[2] and to a much later writer censorship of the press seemed "as antiquated as mail-armour."[3] But the recent war has shown once more the danger that lurks in any general statement concerning the press. The historian knows that the censor plays havoc with the press in time of war and that every statement made by the press relative to military affairs, and even political and diplomatic matters, must be weighed and checked up with every other form of evidence available, and this irrespective of the nominal form of government.

It has been seen that the earliest theory of censorship was that developed by the Church concerning heresy, but this was an abstract, complex theory difficult of enforcement. In essence the most primitive form of censorship exercised by the State is a military censorship applied in time of war. This admits of obvious explanation and it is comparatively easy to enforce. The first reason given by authority for imposing a military censorship is that it is all-important not to give the enemy news, and for more than a hundred years this has been the standing defence of a military censorship. It apparently had its origin when in 1808 the enterprising London *Times* sent Henry Crabb Robinson into Spain and then published the delightful and amiable letters he wrote as the first accredited war correspondent of a modern newspaper. But he encountered authority in the person of the Duke of Wellington who complained bitterly that these letters gave information to the enemy. The importance of the complaint lay in its being the first formulated protest against war correspondence and in its forming a precedent that other military authorities have not been slow in following up. Since the Peninsular War, there has been a gradual accretion of instances given to show the necessity of military censorship. But the layman is prone to agree with a recent writer who states that the enormities with which the war correspondent has been credited are largely fictitious, especially since the specific stories given of how the enemy derived valuable information from the dispatches sent the press by famous correspondents "have long ago been exploded."[4] When telegraph and cable have undermined the work of the war correspondent and "no one now looks to an enterprising correspondent for the first news of a battle;" when warring nations have always had command of a secret service; when abundant means are always voted to maintain it; when spies are countless in number and fertile in resources; when the enemy has command of speedier means of getting news than that of receiving it in printed form; when it controls aeroplanes, searchlights, and the wireless telegraph; when it always knows where the enemies' lines are strong, where they are weak, and what reinforcements are on the way; when incorrect statements that have the outward appearance of truth are circulated "because they will keep the enemy guessing;" when false or misleading information is purposely published, and "fake" stories are constantly circulated by the enemy,—it seems incredible that military authorities should implicitly trust information received from the enemy and use it as a basis for planning their campaigns. And when it has seemed necessary for the director of an official press bureau to promise American newspaper men that nothing would be written in their dispatches not put there by the authors of the messages, and that he "was willing to permit the readers of American newspapers to have the same basis for opinion as the readers of the London papers,"[5] the suspicion is at least aroused that the danger of "giving information to the enemy" when the enemy already has the information, has been much exaggerated and has been seized upon all too readily as a pretext for inaugurating a military censorship. There is the added suspicion that the underlying reasons for a military censorship may be found in an inherent love of secrecy for secrecy's own sake and a love of censoring for the sake of censoring, and that the desire of withholding information from the enemy has less weight than that of withholding it from the public.

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[1] G. Hirsch, in the *Evening Post*, March 23, 1916, points out the difficulties of the censor who proscribes the discussion of war goals,—the Socialists' disapproval of wars of conquest displeased the Government, and the Pan-German chauvinists, with their approval of annexations, created suspicion and hostility among neutrals.

[2] *Democracy in America*, I, 196.

[3] W. S. Lilly, "The Ethics of Journalism," *Forum*, July, 1889, 7: 503–512.

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[4] "The Censorship and its Effects," *Quarterly Review*, January, 1916, 225: 148–163.

During the recent war the theory of the censor that "the public ought not know" ran counter to the theory of the public that "it ought to know." The result was the constant criticism that the censor considered only the effect of giving news to the enemy and not at all the good effect uncensored news would have on the home public. "It is more important that our own people should know those things [methods of defence] than that Germany should not know them," said the London *Times* in 1917. There was widespread agreement with this opinion on the part of a public ready to accept censorship but protesting against the lack of publicity, and unconscious of the inherent impossibility of having both censorship and publicity.

Another theory always urged on behalf of censorship in time of war is that it prevents discouragement both at home and at the front. Yet again to the layman this theory seems of little weight. It involves the use of a double vocabulary describing in opposing terms the same events. But while it may give temporary encouragement to term a defeat a "reverse," a rout an "orderly retreat," and a slight success a "brilliant victory," in the end the true situation is known and the cheer of the moment gives place to profound distrust of all news that passes

[5] Sir Stanley Buckmaster, New York *Times*, October 17, 1914.

the censor.[6] The censorship of disasters leads the enemy to say that the censor does not dare to give the news for fear of its effect on the public. The suppression of "big stories," like those of the Zeppelin raids, and the substitution for them of official statements both brief and dull often led to wrong inferences on the part of both the enemy and the home public.

The theory of the necessity of a military censorship becomes endlessly confusing when news must pass through the hands of the censors of two or more countries; when one censor blue-pencils what has been passed by the previous censor; when in one country "three departments—the Admiralty, War Office and Press Bureau—conduct a censorship, and abroad every commander of a British expeditionary force—whether in France, in Egypt, in Salonica, in Mesopotamia, or in East Africa—is responsible for the censorship of all communications from the area of operations;"[7] when Americans protest that they know less about their allies than they did before they became belligerents,—"the Government knows more, but the people know less;"[8] when an article by "the most distinguished naval critic in the world" is in England "so censored as completely to distort its meaning," although offered for simultaneous publication in America;[9] when the military correspondent of the London *Times* can write, "I had seen from the outset that more useful work could be done by a man who remained at the London nerve-centre than by war correspondents of the old type who sought to repeat the feats of Russell, Archibald Forbes, and Steevens at the seat of war. I knew that they would be shepherded, almost imprisoned, and prevented from telling the truth owing to regulations which had been established in all armies to muzzle the Press, whereas in London I had no censorship to control me and could speak my mind;"[10]—in the face of all these contradictory opinions, of this uncertainty and confusion, it is impossible not to agree with the verdict that it is "difficult to point to a single useful result, or a single beneficial effect upon public opinion which the war censorship in Europe has attained," [11] and that "perhaps successful war can be conducted only in secret, but if so the fact reveals anew how anachronistic war is and forms another reason for detesting it." [12]

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[6] See C. E. Montague, "Would Truth or Lies Cost More?" *Nineteenth Century and After*, July, 1921, 90: 27–34.

[7] Ian Mac Pherson, Under Secretary of State for War, cited by A. S. Draper, New York *Tribune*, July 8, 1917.

[8] "A Plea for Contented Ignorance," *Independent*, April 28, 1917, 90: 193–194.

[9] New York *Tribune*, October 20, 1917.

[10] Charles à Court Repington, *Vestigia*, p. 253.

But a military censorship that in its simplest form is confined to suppressing information valuable to the enemy quickly becomes complicated with scores of attendant questions and over these the censorship lays its enveloping hand. Not only news of all military operations is censored, but the blue pencil is used against the time and place of entrainment, of embarkation or of debarkation of troops, the location of troops, casualties, deaths, enemy raids; against domestic conditions concerned with the increasing cost of food and clothing, shortage of necessary supplies, failure of harvests, the progress of invention, and the thousand and one remote ramifications of war both at the front and at home. The press was urged to give no information disclosing the location or movement of ships, and Secretary Daniels asked the press to omit also all shipping news from abroad, as it was necessary to keep from enemy submarines on this side of the Atlantic all information concerning the movements of any vessels; [13] to delete from all news and advertising copy in newspapers, magazines, folders, circulars, charts, and other printed forms the names, dates of sailing and of arrival, routes, schedules, cargoes, and other shipping intelligence,—a request that had the force of a command. Casualty lists were to be published, but dates and addresses to be omitted and the lists spread over a number of days. A temporary order forbade giving out the totals in the third liberty loan. The American *Patent Office Gazette* was not to be sent to neutral countries after November, 1917. The exportation of newspapers of August 22, 23, 1918, was prohibited since these carried the reports of the aircraft subcommittee of the Senate Committee on Military affairs, as was also the exportation of any similar account given in magazines, letters, or otherwise.[14] The prohibition, however, gave rise to the question why it should not also include the circulation of the *Congressional Record* since it gave the debates on the subject,—a pertinent inquiry showing the extreme difficulty of closing all out-flowing channels of communication with other countries.

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[11] W. MacDonald, "The Press and the Censorship in England and France," *The Nation*, September 13, 1917, 105: 287–289.

[12] New York *Times*, November 19, 1914.

[13] New York *Times*, August 3, 1918.

By a voluntary censorship, the Atlanta, Georgia, dailies agreed not to mention that three thousand negroes were in training at Camp Gordon and "the commanding general at Camp Gordon worked in harmony with the newspapers to maintain order." The railroads were ordered to stop all disclosures as to the movement of troops near Mexico. In France, even the reports of the weather bureau came under the jurisdiction of the censor,—rain and temperature might be reported, but not winds on account of the danger from Zeppelin raids.

This military censorship involved on the part of all the countries concerned not only ordinary censorship but also oversight and restrictive measures in regard to telegrams, marconigrams, cablegrams, and letters,—all the raw material that is furnished to the press. The consensus of opinion has apparently always been that in time of war some general censorship of the press is necessary, yet the application of a particular censorship always evokes hostile criticism.[15] It has, indeed, come to be almost a formula that while censorship in general may in time of war be a military necessity, the particular censorship of the hour is always exasperating, freakish, farcical, malicious, mischievous, puerile, political, drastic, fatuous, chaotic, discriminatory, destructive, unchivalrous, ludicrous, incredible, outrageous, obnoxious, stupid, unintelligent, unreasonable, ineffective, inconsistent, inconsiderate, impertinent, incompetent, intolerable, inopportune, un-American, anti-British, pro-German, almost criminal, and disastrous to the best interests of the country. It is difficult not to agree with the New York *Evening Post* when it says, "That any ideal censorship could ever be worked out, we very much doubt, for it is founded on suppression, deceit, and concealment; but there are instances in which it has worked well." [16] It is perhaps significant that no illustrations are given of the "instances in which it has worked well."

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[14] New York *Times*, August 28, 1918.

"The newspapers received typewritten notices to come and take back the foreign sacks filled with that issue. Senators heard of it from the newspapers. . . . No newspaper was barred from any domestic or foreign mail for printing the Borglum stuff (characterized as 'unguarded and reckless') that Tumulty ordered into print. But the censor stops newspapers containing the formal report of a Senate committee."—*Evening Post*, August 29, 1918.

Senator Lodge, in an interview on the refusal to permit the circulation of the report abroad, said that the effect would be to prevent the publication of reports for America. But this objection seemed to be unfounded, since the New York *Times* published two editions, one giving the full report of the Committee together with important testimony given during the inquiry, and also a special foreign edition in which all references to the report and to the testimony were omitted.—R. Barry, Interview with Senator Lodge and Note by the Editor, New York *Times*, September 1, 1918.

[15] We have to-day "the strictest censorship ever imposed in war time upon the press of the world."—New York *Times*, September 1, 1914.

The theory that this ancillary military censorship is necessary has in its turn encountered the opposition of the press and the public; it has met with troublesome legal obstacles; it has roused amazement in those countries where it has not been carried to such extremes; and it has been complicated with similar censorships in other countries.

The New York *Tribune* found in the requirement that the addresses should be cut from the casualty lists "one of the most drastic bits of censoring promulgated by the War Department since American troops landed in France," but it was explained as due to the protest of the French government that was apprehensive about information gained by Germany from American lists concerning the effect of their gas attacks.[17] The New York *Evening Post* believed that "six lines of real news from the front, with names of regiments, [would] do more to stir up enthusiasm than reams of synthetic write-ups from a Washington bureau," [18] but it found that the conflicting arguments between General Pershing in France and the American press had been reconciled,—"because General Pershing willed it, the War Department agreed." [19] The London *Times* charged the censorship with "doctoring" the account of a labor meeting that was addressed by the Minister of Munitions who was unable to speak for some time because of hooting and interruptions. Other papers supported its criticisms and the censorship did not "strengthen Lloyd George's position with the press which [had] hitherto supported him loyally." [20]

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[16] New York *Evening Post*, October 23, 1914.

[17] New York *Times*, March 10, 1918.

[18] May 17, 1918.

[19] May 2, 1918.

The press practically everywhere acquiesced in the military censorship, both in its primary and in its secondary forms, because no alternative was given it. But acquiescence was not approval, and its leading representatives in all countries undoubtedly endorsed the spirit of an American correspondent who wrote, "The archaic survivals which persist in even the best modern governments are, indeed, well illustrated by the maintenance of a censorship, even in time of war." [21] "We shall have a good deal to say about English censorship when the liberty of the press is restored," was the threatening promise of the London *Times* early in the war,[22] and the London press "with steadily increasing vehemence" protested against the censorship as "unreasonable and inexcusable." But there is no turn and no switch in the single track road of the censor and the decision of authority to enforce its theory of censorship once taken, all obstacles must yield or be crushed. Criticism is of no avail as the press itself realizes. Nevertheless the press "frees its mind" and the New York *Times* well says, "Scolding of the British censors can safely be left to the Britons themselves and their newspapers. Both are giving a good deal of attention to that task and are performing it with an effectiveness which shows that while England's supply of shrapnel may run low at times, its stock of obliquious epithet remains abundant in spite of large demand and heavy consumption." [23]

The opposition of the general public to all forms of military censorship both in theory and in practice—"that large section of the American public which believes there is something wrong with the news side of the war" [24]—has found little opportunity for expression apart from that found in the press itself, but its situation has been well described by the *Times* when it protested that "the British people found themselves waging an impersonal war of asterisks in a chilling darkness."[25] With a newspaper press eager to give information to the public and military authorities eager to keep information from the enemy, both the public and the historian fare ill when the military authority has the whip hand.

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[20] New York *Tribune*, July 17, 1917.

[21] W. MacDonald, "The Press and the Censorship in England and France," *The Nation*, September 13, 1917.

[22] Cited by the New York *Evening Post*, October 8, 1914.

[23] May 2, 1915.

[24] D. Lawrence, New York *Evening Post*, May 2, 1918.

The auxiliary military censorship meets not only with the opposition of press and public, but it specially tends to encounter legal obstacles. The request that newspapers do not publish shipping intelligence seems a simple one to make, yet the newspapers in some coast states are required by law to publish ship movements and a voluntary censorship agreement put the press of these states in an embarrassing position.[26] In Germany the Imperial Constitution expressly allowed correct reports of proceedings in the Reichstag to be given, but the censorship violated the constitution in refusing to permit the publication of what the representatives of the people had said in the representative assembly.[27]

Official etiquette is also at home in the censor's office and Japan feels that it may justly request the censor to deal with an offending Chinese newspaper; Germany may protest against papers published in Switzerland; Syria may be warned that private letters must not contain opinions displeasing to the Turkish government; and an English princess in Greece receives Christmas greetings from her mother only through the courtesy of the British legation in Athens.

The press in every country has seemed compelled to acquiesce in the theory of military censorship, but it has taken what comfort it could in the belief that unreasonable as has been the censorship to which it itself was subjected, that imposed elsewhere has been worse. "The old gang of censors," said the London *Daily News*, "may have been severe, but the way the American military authorities have shut down on the details of the St. Mihiel offensive surely reaches the limits of reserve."[28]

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[25] March 19, 1916.

[26] New York *Tribune*, January 15, 1918.

[27] G. Hirsch, *Evening Post*, March 23, 1916; G. Miller, New York *Tribune*, July 6, 1917.

[28] Cited by the New York *Tribune*, September 20, 1918.

But the end in view has not always been gained. "In the last few days," writes David Lawrence, "the United States has learned more about the number and location of American troops through the German official statements than through the dispatches from France."[29] After the armistice the *Manchester Guardian* said that the chief use of the censorship in England seemed to be to prevent the British public from knowing what was going on in Russia and Germany.[30]

But once again tolerance or acquiescence do not connote approval. In England, in particular, military censorship in all its forms aroused bitter opposition. "The British lion is fighting this war in blinkers," wrote the editor of the *English Review* early in the war.[31] "I am not pleading for the Press, but for the public," he continues.

But the proposal that "the Press should revert to the conditions of pre-telegraphic times" ignored both the impossibility of such reversion and the equally patent fact that such a plan could not ameliorate existing conditions since complaints of censorship had been as vigorous then as now. James I, in pre-telegraphic days, had not supported the claims of his son-in-law Frederick as king of Bohemia,—much to the displeasure of the English. When, therefore, a regiment of English volunteers had started for the Palatinate, via Holland, "James became anxious that nothing should appear in print reflecting on his own conduct,"—a natural anxiety since the first English newspaper, or "coranto," known was then being printed in Amsterdam. He seems to have given some instructions to his agents after hearing of the defeat of Frederick at White Mountain and soon afterwards issued a proclamation "against excesse of lavish and licentious speech of matters of state." Since as far as known but two "corantos" had then been printed, the king seems to have been somewhat over-anxious, and his proclamation did not discourage their appearance "in the uncertaine time." Six months later, the news correspondent of Sir Dudley Carleton wrote him, "There is come out a new proclamation against licentious and lavish talking in matters of State, either at home or abroad, which the common people know not how to understand, nor how far matters of State may stretch or extend." This too did not apparently affect the issue of the corantos, but ten years later "Upon consideration had at the [Council] board of the great abuse in the printing and publishing of the ordinary Gazettes and pamphlets of news from foreign parts; and upon signification of his majesty's express pleasure and command for the present suppressing of the same, it was thought fit and hereby ordered that all printing and publishing of the same be accordingly suppressed and inhibited." So wrote John Pory to Lord Brooke and added, "They say the occasion of this order was the importunity of the Spanish and Archduchesses agents, who were vexed at the soul to see so many losses and crosses, so many dishonours and disasters, betide the House of Austria, as well in the Upper as in the Lower Germany; but this smothering of the currantoes is but a palliation, not a cure. They will burst out again one of these days." And he writes in the same letter: "I should have told you, in a more proper place, that a minister in St. Mary's Oxford prayed very lately, it would please God to inspire the Currantiers with the spirit of truth, that we might know when to pray and where to praise, which prayer was, I think, ominous." [32]

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[29] New York *Evening Post*, April 16, 1918.

[30] Cited by the New York *Tribune*, November 27, 1918.

[31] Austin Harrison, "The Lion in Blinkers," *English Review*, January, 1915, 19: 204–215; "Off with the Blinkers!" October, 1915, 21: 317–323.

Censorship of the war news of the press in pre-telegraphic times, when "Mr. Taylor, the Archduchesses' agent, being asked the reason for calling in the Currantoes answered 'the news was so ill, as the lords would not have it known,'" has a strong family resemblance to the current theory and practice of censorship and the revival of the early methods would but duplicate existing ones. Pre-telegraphic news, like post-telegraphic news, seemed to justify the characteristic remark of G. B. Shaw's that the censors interfere with the journalist only when he tells the truth.

In time of war there has usually been an outward acquiescence in the theory of the inevitableness and the righteousness of a military censorship. The particular form in which it is exercised is always displeasing, but its existence has been accepted as a necessary accompaniment of war. But the outward compliance with military censorship has not extended to other forms of censorship. For the theory of censorship is expansive and *facilis descensus Averni.* Authority quickly finds that the hands of the government must be upheld in time of war and a political censorship inevitably follows. No criticisms of the government can be tolerated since such criticism would tend to hamper its action.

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[32] This and much other important information is given by J. B. Williams, "The First English Newspaper," *Nineteenth Century and After*, March, 1914, 75: 514–525.

This theory, too, is not new but is inherent in the very nature of censorship,—The House of Commons has claimed collectively and individually exemption from criticism. When John Wilkes in the *North Briton,* April 23, 1763, adversely criticised the British government, he was arrested, although himself a member of Parliament, and the chief justice declared his arrest illegal,—assuredly a complicated situation. Steele, Defoe, Fogg, and other proprietors of papers had all been prosecuted for running counter to the theory that the government, like the king, could do no wrong.

But it is significant to note that the theory of the right to enforce a political censorship has been held most strongly by autocratic governments, and it has in consequence been more strongly opposed by the antagonists of such governments than has military censorship. The enforcement of political censorship has, in normal times, everywhere declined, as autocracy has declined, and it has waxed stronger in democratic countries as authority has asserted the necessity of military censorship.

Hence it follows that in Russia there has apparently always been much less restriction on the publication of military news than on the publication of political news,—internal democracy has been more to be feared than has the dissemination of news of armies, and criticism of political policies than of military operations. Evidence of this came as early as during the war between Russia and Japan when the Associated Press was pleasantly surprised by the sympathetic attitude of the Russian government towards it and its willingness to communicate news in regard to the war.[33] At the beginning of the recent war, newspaper men found that "the least difficulty in the securing of news was, strangely enough, experienced in Petrograd."[34] In England the constant complaint was made that the censorship was freakish, that it was exercised without judgment, that it involved delay in sending uncensored news, that "it was worse than in Russia." But "Free Russia . . . has become positively enviable to us in England. We are able to discuss the campaign in the West with far less freedom than our Russian contemporaries. The Russian reports are far more full than ours and Russian comment is far more untrammeled and therefore illuminating."[35]

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[33] M. E. Stone, "The Removal of the Russian Censorship on Foreign News," *The Century,* May, 1905, 70 : 143–151.

Press correspondents were constantly surprised at the frankness with which military news was given out. "Great as is the probability," wrote one, "that the dispatches from Petrograd minimize the extent and the importance of the victory just won by the Germans in East Prussia, one still must credit the Russian officials, military and civil, with having done what has been done by no other belligerent—they have frankly and promptly admitted a serious reverse. From the other capitals there have come in the shape of official announcements practically nothing except stories of advances, long or short, of victories, large or small. Of defeats and retreats they have told us almost nothing, leaving us in each case to get the news, and all of it, from the side temporarily successful.

"This method of treating military events is one perfectly natural and easily understandable, but from the very beginning the Russians have varied from the usual policy, and from that land, where the powers of censorship have been and still are used with a ruthlessness unknown elsewhere, there have been received throughout the whole course of the war dispatches notable for fullness and accuracy."[36]

Russia "varied from the usual policy" because her consuming fear has been of attacks from within by political opponents rather than of attacks from without by foreign enemies. The power of the political censor has indeed been used "with a ruthlessness unknown elsewhere" because the theory of Russia has been that its very existence has depended on such censorship. With Napoleon, Russia has always said "Si je lâche la bride à la presse, je ne resterai pas trois mois au pouvoir." [37]

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[34] D. C. Seitz, "Newspapers and the War," *Review of Reviews*, October, 1914, 50:465–468.

[35] Military correspondent of the London *Times*, October 9, 1914.

[36] New York *Times*, February 25, 1915.

With the change in government in Russia and with the diametrically opposing opinions in regard to conditions existing there, it becomes increasingly difficult to reach conclusions in regard to the press and the theory that controls it. It seems, however, not wholly unreasonable to assume that the traditions in favor of political censorship still prevail although the evidence in support of such an assumption are at best inconclusive.[38] A new note was apparently struck when printers refused to set type for any article that they suspected conveyed anything unfavorable to the Revolution.[39] But the situation was balanced by the reactionary conspirators who published a paper named

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[37] Cited by H. Welschinger, *La Censure sous le premier Empire*, p. 81.

[38] During the summer of 1918, Hans Vorst contributed a series of articles on Russia to the *Berliner Tageblatt*, in one of which he writes: "All newspapers not supporting the political program of the Soviet government have been suppressed within the last month. This high-handed measure is said to be directed against the spreading of provocative reports, which are constantly circulated against the Soviet government, but the result has been just the opposite. Broad classes of the population have no confidence in the Bolsheviki press, but there are no other sources of information at the disposal of the population and consequently there is no limit to all sorts of reports." He gives illustrations of these rumors and adds that "even political circles are groping around in the dark and taking part in the spreading of these wild rumors."—Hans Vorst, in *Berliner Tageblatt*, August 17, 1918. C.*

A special correspondent of the *Reichspost* † says that except for a few minor revolutionary party sheets that have no importance, the only newspapers allowed to be published in Moscow were the *Izvestiya* and the *Pravda*, rated as government official organs, and the *Mir*, somewhat more independent, but still not daring to open its columns to any criticism of the government. Any attempt at free expression of opinion would cause immediate suppression of the paper, and confiscation of its office and property. The editor would at least be imprisoned and quite possibly shot. Neither paper was friendly to Germany, but they were both still less friendly to the Entente, and "their sympathies are wholly international."—*Reichspost*, October 8, 1918. C.*

It must be noted that these judgments come from the opponents of Russia and that the *Reichspost* correspondent assumes the rôle of the prophet.

* See Bibliographical Notes, p. 470.

† "The *Reichspost*, organ of the Christian Social Party and of the *Piusverein*—a Clerical, mainly Jesuit, Society for the development of a Roman Catholic, non-Jewish press—is the only considerable daily organ of pronouncedly 'Christian' tendencies. It was founded with Catholic funds, is written and edited by militant Catholics and is clerical, antisemitic, military, chauvinistic and aggressive in tone."—H. W. Steed, *The Hapsburg Monarchy* (1913), p. 191.

[39] R. C. Long, in the New York *Evening Post*, June 18, 1918.

The Czar. With the entire suppression of the bourgeois press of Moscow; with the circulation in Petrograd of five papers hostile to the government, their combined circulation totalling about 150,000; with not a paper of importance published in Petrograd supporting the government; with numerous papers appearing without political leanings,[40] the long standing confusion in the Russian newspaper press resulting from political censorship was apparently no nearer settlement than ever before. As long as the theory of political censorship persists, no settlement is possible.

In autocratic Turkey somewhat different conditions and theories have been found, in large part because of the very high percentage of illiteracy, the many different tongues spoken, and the printing of newspapers in half a dozen different languages. Political news seemed less dangerous than it did in Russia and therefore political censorship less necessary. When in 1918 the director of the press called together the leading journalists of Constantinople and informed them that the time had come to remove all political censorship, they expressed their extreme satisfaction with the interview. They saw an explanation of the liberty promised in the necessity found by the Government of having a press organ to answer the energetic political attacks on the Turkish government made by the Sofia press. A vigorous campaign was being carried on in favor of Bulgaria's boundary claims and with the abolition of political censorship there would be opportunity for presenting different views. Difficulties also in regard to the Black Sea made it the part of wisdom for the Government to win the press to its side. But the real theory of censorship behind all press regulations seemed to be, in homely phrase, "heads I win, tails you lose." When the *Zeman*, that had advocated a peace by understanding, appeared with its leading article cut out, the theory of censorship, as held by authority, seemed to have changed its name rather than its character. The theory of the right of censorship was abandoned only in favor of the Government itself.[41]

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[40] *Münchener Post*, June 13, 1918. C. See *post*, p. 470.

[41] *Vossische Zeitung*, June 19, July 10, 1918. C.

Since a license was required to publish a newspaper in Turkey, it was evident that such licenses would be granted only to persons considered safe by the Government.

But even in governments less autocratic than have been those of Russia and Turkey, the theory of political censorship, although usually quiescent, has always been held in reserve and ready to be enforced when occasion demanded. Early in the recent war, cables from London indicated a resentment on the part of the government of the free criticism of the London *Times*.[42] The coalition government at its first meeting showed its determination "no longer to permit the attempted newspaper dictatorship in regard to the war,"—a quick transition from a censorship of war news giving information of value to the enemy to a ban on "the publication of statements which might assist the enemy or interfere with the successful prosecution of the war."[43]

It is not surprising that the London press found "intolerable the restrictions placed upon them and are using still harsher language. What they say is that the censors, instead of contenting themselves with the performance of their legitimate duty—that of preventing the publication of news beneficial to the enemy—have taken upon themselves, or have had imposed upon them, the very different task of protecting their superiors, military and civilian, from criticism at home."[44] While the theory in support of the censorship met with vigorous protest, it has not always been possible to use the periodical press as a medium for expressing it. A member of the British parliament, in America on business in 1916, felt it necessary to send by messenger an open letter to England in which he says: "Three years ago no Englishmen would have believed that even the stress of a great war would make it impossible to know the truth about the failure or success of military or diplomatic efforts of the government; that news would be officially suppressed and garbled; that newspapers would print just what Government censors told them and no more."[45] Three years later, in 1919, a member of the English House of Lords wrote: "The most serious thing of all is that ever since the war began the expression of honest and reasonable criticism and the publication of accurate news has been made very difficult by the stupid and ill-conceived pressure of the Censorship. Facts have been suppressed or ignored, and untrue conclusions have been fostered in the supposed interests of the nation."[46]

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[42] New York *Tribune*, May 29, 1915.

[43] Defense of the Realm Act ("D. O. R. A.").

[44] New York *Times*, October 12, 1915.

[45] Charles P. Trevelyan, *The American Friend*, December 28, 1916.

Nor was this theory of the right of a political censorship as complementary to a military censorship modified by the government authorities in America. Censorship and an atmosphere of official intimidation for several months, so wrote D. Lawrence from Washington, prevented the American people from having news "that might have been the basis for the same kind of helpful criticism which is only now stimulating the Government to greater effort in prosecuting the war," and he adds, "No one in the Government would permit any information to be released which tended in any way to reflect unfavorably on officials," although "most of the material might have been published months ago, and America might have been farther ahead in her preparations for the great struggle in France than she is to-day."[47]

If friends of the Administration found an atmosphere of intimidation prevalent in Washington, it is not surprising that its opponents found that reports had come "that many small newspapers throughout the country fear to make any independent report of, or comment on, the news of the day because of coercion, and the attitude taken by most of them is the easy one of preferring existence on the Government's terms rather than the surely hazardous one of attempting to perform a difficult duty towards their readers."[48]

Political censorship met with no less strong opposition in Germany. An ultimatum issued by the Main Committee of the Reichstag at its session in August, 1917, gave the Government four weeks to reform the censorship,—restricting it to its proper place in the control of the publication of military news, but in spite of this the censorship of political newspapers by the military authorities had never been more active.[49]

The Imperial German Press Union, at its meeting in October, 1918, passed a resolution giving its belief in the value and the duty of the press and affirmed that it can do its duty "only so long as it has free control of its own activity, unhampered by unnecessary supervision, and so long as it possesses the assured trust of the whole nation that it is a true exponent of popular sentiment. The Imperial German Press Union, therefore, expects that the governing authorities in the Empire and the federal states will properly appreciate the great responsibilities of the press in the present and future and assure it a position in the public life of the country suited to its task. It confidently expects that all legislative and administrative measures affecting the press will be undertaken only after due consultation with this organization which is the official representative of the press of Germany." [50]

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[46] Earl Loreburn, *How the War Came*, p. 4.

[47] New York *Evening Post*, December 20, 1917.

[48] Interview with H. C. Lodge, New York *Times*, September 1, 1918.

[49] Cablegram from Copenhagen, New York *Tribune*, September 29, 1917.

The *Berliner Tageblatt* had earlier been no less emphatic in its comments on the censorship debate in the Reichstag and quotes a Centrist who said, "The general impression is that party consideration dominates the censorship, and that the higher army command exercises its ill-will against the Reichstag majority. Erzberger denominated the censorship as a systematic misuse of military power for biased political purposes; that it was regularly used as a weapon against the Reichstag majority." [51]

Representative Ebert in the Reichstag in taking up the case of the suspended *Vorwärts*[52] had noted that much of importance

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[50] *Bremer Bürger Zeitung*, October 8.—*The Bremer Bürger Zeitung* was a Minority Socialist organ and therefore opposed the war; under compulsion, it became a Majority Socialist organ and thus while still opposing war in the abstract supported the Government in the War of 1914.—Adapted from "The German Press," *The New Europe*, April 11, 1918, 6: 409–416.

[51] *Berliner Tageblatt*, January 20, 1918. C.

"*Berliner Tageblatt* is an extremely popular paper, edited by Theodore Wolff, whose pacifistic moderation has come under the ban of the censorship. Thoroughly Radical and with marked Francophil tendencies, anxious for a closer alliance with the Socialists, and is a great deal more moderate in its attitude towards the Minority than *Vorwärts* itself."—"The German Press," *The New Europe*, April 11, 1918, 6: 409–416.

[52] "*Vorwärts*, converted by a Majority *coup de main* from a strong Minority organ to the organ of the Majority. The change was defended on the ground that *Vorwärts* has always been the Central organ of the party. Owing, however, to the dual control exercised over it by the Party Direction and the Berlin Committee, the Minority, who are in a strong majority in Berlin, have managed to control it during the war."—"The German Press," *The New Europe*, April 11, 1918, 6: 409–416.

G. Saunders modifies the last statement by saying that after the collapse of the strike movement and the defeat of the Minority Socialists at Niederwas going on in Austria and in Hungary that was known to the whole world, "but in Germany we know nothing. . . . The request of party leaders for information could not be satisfied." Gradually a few papers ventured to print such information as passed the censor. "But *Vorwärts* was still forbidden to print anything. Under the circumstances the prohibition was a one-sided, partisan act,—a challenge to the social democratic party, and to all German workers." [53]

"Complaints of the censorship will not cease so long as we have a censor," said the *Frankfurter Zeitung*.[54] "That lies in the nature of things because every censor curtails the natural right of free discussion which is the very condition of existence of the press. . . . If the war minister thinks that the press is now satisfied with the censorship, he is sadly deceived. The press feels the many limitations and attacks upon its independence and finds them as unpleasant as ever. . . . As long as a censorship is considered indispensable it should be limited to strictly military questions. It should keep its hands off other topics and cease attempting to gag the press." [55] In this the *Frankfurter Zeitung* was but repeating the spirit of the warning it had given the censor in the beginning of the war,—that he owed a corresponding duty to the press since it had a very real and justified claim upon as broad and generous an interpretation of censorship as was possible under the circumstances and as was

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Barnim, the *Vorwärts* had generally supported the Government. On March 16, 1918, *Vorwärts* said it was certainly true that the Social Democrats had not in any way approved of the policy of Government before the war. The agreement of the Majority Socialists with the Government had only arisen when the terrible fact of the outbreak of the war could not be altered."—"*Vorwärts* and the Minority Socialists: A Correction," *The New Europe*, April 25, 1918, 7 : 48.

[53] *Vorwärts*, January 22, 1918. C.

[54] "The *Frankfurter Zeitung* represents Central and Southern German Radicalism. As many of the strongest supporters of this particular brand of Liberalism are Jewish financiers in Frankfurt, Berlin and other German cities, and, as the financial news of the *Frankfurter Zeitung* is the best in the German press, the paper has often, in too sweeping terms, been described as representing Jewish financial interests. Its liberalism is of a sounder brand than that, but its Radicalism has been greatly watered since the death of the old proprietor, Adolf Sonnemann, who sat as an Advanced Radical for many years in the Reichstag and was one of Bismarck's bitterest opponents."—"The German Press," *The New Europe*, April 11, 1918, 6 : 409–416.

[55] *Frankfurter Zeitung*, January 23, 1918. C.

reconcilable both with the need of the country and the demands of publicity.[56]

"Right and left the foe is listening," said Maximilian Harden; "but nowhere can he detect the voice of the German people. . . . The underlying idea [of the censorship] is to show the enemy that sixty-seven million human beings have the same opinion on big and little matters; expression of contrary views must not be allowed to come to the surface."[57]

The "continued restlessness of the German press under censorship" was the burden of a cable from Berlin in 1916 in reporting the annual meeting of the National Association of the German Press "whose discussions largely centered on the gradual 'dismantling of the political censorship' promised some weeks ago by Vice-Chancellor Helfferich" and the Association adopted resolutions demanding that the censorship of political news should cease.[58] During the first week in June, 1918, "three memorable sessions of the Reichstag were devoted to the autocratic doings of the military censorship and the military governors of the various parts of the country," but "in spite of the unanimity of the great majority of the Reichstag no effect can be produced [against the present system]." One of the deputies asserted that "in ninety-nine per cent of cases the censorship mixes in matters that have nothing whatever to do with military questions. What does most harm is the abuse of the military power for political partisan purposes. All reactionary poisonous plants from before the war are now shooting forth like mushrooms after a warm rain." Little comfort could be found in thinking that "no doubt there is also in England and in France a censorship. But we would be glad to exchange our conditions for those existing over there. Our semi-official reports bring daily before the German public extracts from French and English publications and in this way they prove that the conditions in these countries, with their old political culture, are at any rate better than here."[59]

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[56] *Frankfurter Zeitung*, November 16, 1914, cited by New York *Times*, December 20, 1914.

[57] New York *Times*, *Magazine*, July 23, 1916.

[58] New York *Times*, September 26, 1916.

[59] New York *Tribune*, July 27, 1918.

On the tenth anniversary of the famous interview given to the London *Daily Telegraph* by the Kaiser,[60] *Vorwärts* recalled that at the time of the interview "for two weeks there was wild excitement in our newspapers" and that a representative had said in the Reichstag, "The whole outside world is talking of a split in German policy. The unanimous sentiment of the country protests against this in the press and in a flood of pamphlets. They all oppose personal government. The opportunity for *lèse majesté* is so favorable that it would be impossible to punish these offenses on account of their number." [61]

Thus in every country the theory of authority that it has the right to impose a political censorship on the press, especially in time of war, has not been accepted by the press itself.

Political censorship also has its ancillary features that, like those of the corresponding military censorship, lead far afield. Constant protest was made during the war to the censorship exercised by the post office department of the American government for making itself "the arbiter of the country's patriotism or its morals." The government claimed the right to censor wireless and cable messages, but the questions of legality entailed by such censorship were many and involved. The Toledo Newspaper Company published for the Toledo *News Bee* an article and a cartoon in connection with the street railway franchise fight in 1914, but these were held to embarrass the administration of justice and judgment was rendered by the Federal Supreme Court against the Company and the editor.[62] The New York State Assembly was opened with a prayer to which objection was made and as a result of the ensuing discussion, the statement was made in the reports that the Assembly was opened with prayer but the text of it did not appear.[63]

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[60] This interview had been given by the Emperor without previous consultation with the German Foreign Office and was intended to conciliate England,—angered by a congratulatory telegram the Emperor had sent President Kruger during the Boer War. It may have had the desired effect in England, but the result in Germany was to anger the ministry and virtually to force a promise from the Emperor that in future he would not meddle with questions of foreign policy.—An account of the interview and its results may be found in D. J. Hill, *Impressions of the Kaiser*, pp. 329–335, and the explanation made in the Reichstag by Prince von Bülow, pp. 335–340.

[61] *Vorwärts*, October 31, 1918. C. See *post*, p. 470.

[62] *Evening Post*, June 10, 1918; New York *Tribune*, June 11, June 18, October 22, 1918.

The extension of political censorship to a prohibition of the discussion of war aims and of the terms of peace everywhere met vigorous protest. The Vienna *Arbeiter Zeitung*[64] felt that "all people want peace, but they cannot express their will. Small but powerful groups in all countries are from selfishness, passion or fear preventing a discussion which would surely lead to peace. The means used to prevent this discussion is the deluding of their people on the intentions of the enemy. Under present conditions it is not difficult to delude a people. A censorship with conscious definite tendencies, and a skilful manipulation of the telegraph makes it possible to emphasize the voices of the war agitators in the hostile countries, but not show up the friends of peace."[65]

The *Arbeiter Zeitung* under the title "Shut Your Mouth and Carry On" comments on the statement that the German Secretary of Foreign Affairs, von Hintze, made to the pressmen of Vienna that during the war the press of Germany and of Austria-Hungary had retained their freedom, while in the countries fighting Germany the press was controlled by the Government. Readers of the *Arbeiter Zeitung* "had occasion to observe only yesterday and the day before just how free the press was in Austria. In both these papers whole columns were left blank by the censor,"[66]—all the four articles cut out by the censor discussed peace.

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[63] *Pros and Cons*, March 12, 1918.

In 1919 freedom of speech in prayers was upheld by the Indiana Senate (New York *Evening Post*, January 30, 1919), but in 1923 the Colorado House of Representatives adopted a resolution of censure expressing disagreement with the sentiments expressed in the opening prayer of the chaplain.—New York *Times*, February 9, 1923.

[64] "While maintaining, on party questions, the somewhat narrow standpoint of Marxist orthodoxy, the *Arbeiter Zeitung* frequently treats the larger political, social, and even diplomatic issues with a breadth of view and statesmanlike grasp that would honour any independent journal in Europe. At times, though not invariably, its columns are the only refuge of common sense and the only protection against the tide of semi-officialism and financial interestedness that pollutes the German press of Austria."—H. W. Steed. *The Hapsburg Monarchy* (1913), p. 135.

[65] "What can Germany do for peace?" By a German politician of the citizen class. *Arbeiter Zeitung*, August 27, 1918. C.

[66] *Arbeiter Zeitung*, September 14, 1918. C.

Shortly before the armistice the *Arbeiter Zeitung* had complained that "The censorship of the press prevents our discussing freely an important question now before the German people. Consequently we confine ourselves to quoting from a German newspaper,"—an article that discussed the Kaiser and placed the entire responsibility for the then situation on him personally in that he had always been the champion of personal government.[67]

But it was not alone in Germany that authority objected to the discussion of war goals, reprisals, adjustment of boundary lines, and peace aims. In America it was assumed that the armistice would terminate the censorship, but to the disappointment of both press and public it was not entirely lifted, and it was explained that the promise to the effect that it would be, meant only the application to political matters concerning the Peace Conference that did not concern France and Great Britain.[68] Equally unsatisfactory was the rumor that the news was to be "rationed" and that the Bureau of Publicity would inspect all news "stories" sent out from Paris.[69] In the Senate, authority—in the person of the Postmaster-General—was vigorously attacked because the enforcement of the espionage act was considered equivalent to licensing the press,—if a paper was excluded from the mails, its editor could see the Postmaster-General, find what in future could appear without violating the law, and thus secure pre-censoring.[70] A group of senators opposed to censorship formed an alliance to send couriers to Europe to keep the American public better informed in regard to the Peace Conference.[71] The American Defense Society urged that the cable censorship be discontinued in order that a freer exchange of views on the League of Nations might result.[72] News articles and clippings collected in Europe for a great metropolitan daily were held up by the New York Customs Censorship Bureau, although finally released.[73] M. André Cheradame charged that there was a well-established French and American censorship on news of the Peace Conference, but while this was denied in Washington, it seemed evident that the criticism of the American administration prevalent in America was generally known in France.[74] This opinion was later confirmed by M. Tardieu who stated that President Wilson asked to have the French censorship exercised not only over French newspapers but also over dispatches sent to foreign papers.[75] The extent to which the censorship on the work of the Peace Conference was used in Paris at the request of President Wilson has recently been again confirmed by others.[76]

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[67] *Arbeiter Zeitung*, October 17, 1918. The article cited was from the *Frankische Tagespost* of Nürnberg, October 10, 1918, and it was reprinted in a number of German papers. C. See *post*, p. 470.

[68] *Evening Post*, December 20, 1918.

[69] New York *Times*, December 6, 1918.

[70] New York *Times*, February 9, 1919.

[71] New York *Times*, February 9, 1919.

[72] New York *Times*, March 17, 1919.

In every country, although in varying degrees, there has been open, persistent opposition to the theory that authority has the right to proclaim and to enforce a political censorship. Its inherent dangers are only too well understood, for as political censorship has in democratic countries followed military censorship, so in its turn it carries with it still other forms of censorship that authority decides are equally essential for its own maintenance. In 1914, the Peking government and the bankers of Europe censored details in regard to conditions in China so that Europe would buy the bonds of China,—had the real conditions been known, the loan could not have been floated.[77] "In the Censorship," says a recent student of the censorship, "there lies at hand a weapon the full value of which was perhaps not anticipated prior to the war. It can be used to restrict commercial and financial transactions intended for the benefit of enemy governments or persons residing in enemy countries." [78]

It is but a step from these forms of censorship to a censorship of opinion. Authority claims the right of inquiring not only into the open and public expression of opinion held by individuals and by collective organizations but it also claims the right to inquire into the opinions held by individuals even when not expressed.

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[73] New York *Tribune*, May 15, May 16, 1919.

[74] New York *Evening Post*, March 13, 1919; New York *Times*, March 14, 1919.

[75] André Tardieu, *The Truth About the Treaty*, pp. 107–114

[76] Wade Chance, "Censorship at Paris," *Outlook*, July 20, 1921, 128 : 478.

[77] "Gagging the Press in China," *Literary Digest*, January 24, 1914, 48: 152.

[78] T. W. Koch, "British Censorship and Enemy Publications," *Library Journal*, September, 1917, 42: 697–705.

The theory that lies behind censorship is that authority, in whatever form it may appear, has the right to prohibit any publication of facts in time of war or peace, any expression of opinion, any opinion cherished but unexpressed, that authority holds inimical to the interests of the nation. The right of censorship is pushed even one step further and authority holds it to be a supreme duty, as well as a right, to protect the public against free expression of opinion through the press, through educational channels, or through other avenues leading to freedom. Authority holds the theory that censorship is necessary in time of war to protect the nation against its enemies and the nation acquiesces. "The censorship must be used to win the war" was the theory of those upholding the censorship, and all variations of opinion from this dictum come themselves under the censorship.

But it is difficult to relinquish a control that has quickly become firmly entrenched and authority pushes its theory to the point of censoring opinions held in time of peace on the ground that many opinions are insidious enemies and they must be checked at the source. Sedition bills were introduced into the American Congress a year and a quarter after the armistice had been declared, legislative censorship of opinions was enforced by the New York State legislature against Socialists and against educators a year and a half after the war had closed. Nor does the theory of the right of censorship end with the authority exercised by Church and State in their highest forms of organization. Local school boards assume the right of censoring the opinions of local teachers, posts of army veterans constitute themselves censors of the patriotism of the schools, local postmasters assume the right of inspecting the newspapers passing through the mails, private organizations and private individuals become self-constituted censors of the loyalty of others. Censorship once given the bit can not be controlled by public opinion and its pace is lessened only by weariness or exhaustion.

To any and every theory of censorship the press is by its very nature opposed. "The enterprising newspaper or news agency and an efficient censorship are natural enemies," said Sir Edward T. Cook in 1916; "and if the day should ever come when the newspapers, British and Neutral, conspired to praise the Press Bureau, it would be a catastrophe for one or other of us; it would mean either that the journalists had lost their 'go,' or that our Censors here had been neglecting their duty."[79] The French press has been no less emphatic in its strictures on the theory of the censorship. M. Welschinger opens his history, *La Censure sous le premier Empire*, by saying that whatever illusion may have been held in regard to the advantage of a censorship he hopes will disappear after reading his account of it as it existed under Napoleon. The Paris *Temps* early in the recent war declared that the censorship "attributes to itself the rights and prerogatives of a King" and the censor has now been "placed above the law."[80] The *Frankfurter Zeitung* says that "complaints of the censorship will not cease so long as we have a censor. That lies in the nature of things because every censor curtails the natural right of free discussion, which is the very condition of existence of the press. This experience [during the war] has thoroughly converted to a different view all those who formerly believed in a higher control of public opinion."[81] It was in 1917 that American senators were protesting against the Espionage Act as providing "a censorship heavier than a Russian muzzle" and as prohibiting many things allowed in Prussia.

In every country during the war, whatever the degree of political freedom that had previously been found, a censorship of the press was immediately put into operation, it was upheld by authority as necessary to the prosecution of the war, as indispensable in upholding the hands of the government, as essential in securing loyalty on the part of all citizens, and as the *sine qua non* of peace, order, and prosperity.

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[79] *The Press Censorship*, an interview given by Sir Edward T. Cook to the Associated Press.

Some months earlier the London correspondent of the Chicago *Daily News* had said, "If there were in this matter no grievance except that of American newspapers, I do not think I could have screwed up my courage to speak on the subject. But our grievance, in my view is relatively insignificant. Those with the real grievance, the ominous grievance, if I may venture so far, that ought not to be indefinitely borne, are *Britons*, in whatever part of the world, and all whose interests are adversely affected by a disaster to British prestige. I believe profoundly that the Censorship, in some of its operations, has been a calamitous libel upon the British nation."—E. P. Bell, *The British Censorship*, pp. 5–6.

[80] Cited in the New York *Evening Post*, October 28, 1915.

[81] *Frankfurter Zeitung*, January 23, 1918. C.

It has been impossible for the press either to accept or to overthrow this position taken by authority, but one refuge has always been left it. A jest may prevail where argument has failed and the press has always made merry over the amusing eccentricities of the censor in enforcing the theory of authority. The French editor in particular has always been past master in the joyful art of circumventing the censor, and in jesting at his expense, and the censor has not failed in giving him abundant opportunity for both. Perpetual ridicule was heaped on the censor for withholding for two weeks a license to give Molière's *Malade Imaginaire;* and after due consideration, authorizing a translation of Seneca; the editor of *L'Éclair*, whose leading editorial was obliterated, retaliated by calling the censors "microcephalic," and was in turn informed that in consequence of the use of this term, the censors would refuse to read the proofs of his paper; the letter of the Pope ordering prayers for peace to be read in the churches of France, as well as throughout the world, was for some time held under advisement by the French Government; the festival of St. Anastasia, the patron saint of the censors, was made the occasion of sarcastic appeals to the censor through serio-comic prayers addressed to the saint; [82] one number of the Toulouse *École Laïque*, a four-page weekly, was entirely deleted, with the exception of a few advertisements,—whereupon an "old subscriber" telegraphed "Continue your magnificent campaign. You have my enthusiastic support;" Gustave Hervé addressed his readers through blank columns over his signature; the signature of Georges Clemenceau was left at the bottom of two and a half blank columns,—he circumvented the order for suspending his paper *L'Homme Libre* by re-naming it *L'Homme Enchaîné;* Stoddard Dewey, in *The Nation* and the *Evening Post,* reported editorials entirely deleted except the titles; *La Lune,* when suppressed by the censor, reappeared the following week as *L'Eclipse,* as earlier, *L'Univers religieux,* after suppression, had appeared as *Le Monde.*

These expedients that date almost from the very beginning of the French newspaper press, since the theory of censorship is practically as old as the press, have apparently had little or no effect in changing the censorship. But they have served the purpose of easing a situation the press has been powerless to alter.

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[82] A. H. Warner, "Sainte Anastasie."—*Outlook*, June 13, 1917, 116: 258–262.

Nor has France monopolized the jest. If in Germany the censor cuts out passages from Goethe; censors speeches of von Hindenburg's; declares the official announcements of the city of Berlin unfit to print; and after the sequestration of cement and the resulting prohibition of advertisements of its sale, forbids dental magazines from recommending the use of dental cement; if in Turkey he has prohibited the use of the phrase "His Majesty" to any crowned head except the Sultan, and from Constantinople sends the news in the summer of 1916 that the Austrian armies will be in Milan in a few days, that Rome will be taken in a month, that the French government had fled to England and that the Franco-British fleet has been destroyed in the Mediterranean, and has even inspected menu cards;[83] if in Macedonia he has eliminated Biblical phrases from postal cards; if in Russia the comic opera "Poor Jonathan" can not be produced in a certain city because the name of the bishop in that district is Jonathan, the names of the gods in classical mythology, except Mars, can not be capitalized, and a poet is not allowed the line "I despise the world"; if in England he deletes lines of Browning and of Kipling, thus leading Mr. Punch to make merry over "the censor among the poets"; if it has always and everywhere been possible to be facetious at the expense of the overworked censor; and if the opinion of the public in regard to the censorship has seemed to the censorship itself to have been beclouded by these and similar errors so often narrated, the public and the press critics of the censor can but feel that such absurdities are the inevitable accompaniments of the theory of the censorship, and that their very presence foreshadows its ultimate doom.

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[83] "May 25.—As I was walking toward the Embassy the Spanish Minister ran after me for news about Italy's declaration of war, as the Grand Vizier told every one that it would not affect Turkey. He was furious over a lunch menu on the occasion of King Alfonso's birthday. When sent to the press the Censor changed the 'petits pois à la française' to 'à l'occidentale,' and a 'glacé à la russe' to 'à l'orientale,' and asked how any diplomatist dared to invoke the names of Turkey's enemies!"—Lewis Einstein, *Inside Constantinople*, p. 66.

CHAPTER III

PREVENTIVE CENSORSHIP

"Truth indeed came once into the world with her divine Master, and was a perfect shape most glorious to look on: but when He ascended, and His Apostles after Him were laid asleep, then strait arose a wicked race of deceivers, who as that story goes of the *Ægyptian Typhon* with his conspirators, how they dealt with the good *Osiris*, took the virgin Truth, hewd her lovely form into a thousand pieces, and scatter'd them to the four winds. From that time ever since, the sad friends of Truth, such as durst appear, imitating the carefull search that *Isis* made for the mangl'd body of *Osiris*, went up and down gathering up limb by limb still as they could find them. We have not yet found them all, Lords and Commons, nor ever shall doe, till her Masters second comming; he shall bring together every joynt and member, and shall mould them into an immortall feature of loveliness and perfection. Suffer not these licensing prohibitions to stand at every place of opportunity forbidding and disturbing them that continue seeking, that continue to do our obsequies to the torn body of our martyr'd Saint."—*Milton*, 1644.

"For as much as great inconveniences may arise by the liberty of printing within the province of New York, you are to provide all necessary orders that no person keep any press for printing, nor that any book, pamphlet or other matter whatsoever be printed without your especial leave and consent first obtained."—*Instructions issued to Governor Bellomont*, 1697.

"It is necessary that every vehicle of communication, every instrument, and every faculty by which Mind can correspond with Mind, should remain entirely free from influence. The Press, as the most important and powerful vehicle of sentiment, should remain independent of Government, and only be subjected to the censorial jurisdiction of society. The establishment of a Licensor is of all expedients,—the most dangerous."—*Tunis Wortman*, 1800.

"A state which dwarfs its men, in order that they may be more docile instruments in its hands even for beneficial purposes, will find that with small men no great thing can really be accomplished; and that the perfection of machinery to which it has sacrificed everything will in the end avail nothing, for want of the vital power which, in order that the machine might work more smoothly, it has preferred to banish."—*J. S. Mill.*

The old adage that an ounce of prevention is worth a pound of cure has always commended itself to authority in its relations with the press. Almost coincident with the invention of printing, authority in the person of the Church, as has been seen, protected itself against the circulation through the press of beliefs dangerous to itself.[1] The pre-censorship exercised in effect by the Church in regard to religious opinions led Lord Acton as late as 1862 to merge the *Rambler* with the *Home and Foreign Review*[2] and when in 1864 "the Pope issued a declaration that the opinions of Catholic writers were subject to the authority of the Roman congregations" he entirely abandoned the *Review*.[3]

In England the pre-censorship of the press passed from the Church to the Crown and later to Parliament and it was used to prevent the circulation of news that authority, personified in the State, thought dangerous to the body politic. To-day a pre-censorship of opinion apparently everywhere exists in the State, but it is exercised not through the definite form of a license but through the cruder, though no less efficacious means of legislative threats and enactments.

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[1] G. H. Putnam, *The Censorship of the Press*, deals exclusively with the censorship of books, but the principle that a license from the Church was necessary before any book could be published was essentially the same as that later enforced against the periodical press.

[2] Lord Acton wrote to R. Simpson, October 6, 1861, in regard to Newman's "clear declaration that he thinks we ought to come to an end:" "I surely told you of his saying that we ought to give in, and should be in a false position, but he never said we should be made to. Our whole correspondence on the subject was founded on the presumption of Antonelli striking a blow either through the Index or the bishops, and he said he thought if that happened we ought not to go on, and should do better to be beforehand with it. I gave him many good reasons for our determination to do neither one nor the other."—Abbot Gasquet, *Lord Acton and his Circle*, p. 207.

The result of the difference of opinion was the merging of the *Rambler* with the *Home and Foreign Review*, the first number of which appeared July, 1862.—*Ib.*, p. 287.

[3] Lord Acton wrote again March 8, 1864: "The whole drift of the Papal rescript, beyond the direct attack on Döllinger, is to condemn the foremost principle of the *Home and Foreign*. . . . [It] is an elaborate statement of opinions and intentions on a point practically fundamental which are incompatible with our own. I, at least, entirely reject the view here stated. If it is accepted by the *Home and Foreign*, the Review cannot long escape condemnation, and cannot any longer efficiently profess to represent the true, authoritative Catholic opinion. In either case I think the Review forfeits the reason of its existence. It cannot sacrifice its traditions or surrender its representative character."—*Ib.*, p. 317.

The last number of the *Home and Foreign Review* appeared April, 1864. It contained an article by Lord Acton on the question at issue between himself and the Holy See and states his reasons for discontinuing the *Review*. The article is now easily accessible in *The History of Freedom and Other Essays*, by Lord Acton, Chapter XIII, "Conflicts with Rome," pp. 461–491.

Preventive censorship in its first and most extreme form implies a system of licensing,—everything printed must be authorized by a license previously obtained. This prevents the publication of anything without license, the license is enforced by the requirement of bonds or caution money to be forfeited in case the terms of the license are violated, it is of limited duration, and it can not be transferred. A preventive censorship is the first and simplest form in which authority expresses its theory that it has the right to control the channels of opinion and of news. To those who accept the theory that authority has an inherent right to exercise the censorship, its *imprimatur* becomes the hall mark of excellence and of authoritativeness.

This belief, on the part of authority, in the efficacy of a preventive censorship has been universal, and it has everywhere been the first step taken to resist the demand for freedom of the press. The development of the periodical press has not been synchronous in all countries,—it may come in England early in the seventeenth century,[4] or it may come in Persia in the middle of the nineteenth century, but whenever and wherever it appears the preventive censorship in the form of license is coincident with it.

The Scottish Estates in 1551 had prohibited all printing of every description "unto the tyme the samin be sene, vewit and examit be sum wyse and discreit persounis depute thairto." This prohibition covered all periodical news sheets when they appeared a century later "and those in authority exercised the right of examination previous to publication as long as they possibly could." The publisher of the Edinburgh *Courant* was compelled in 1705, by one of the last acts of the Privy Council regarding literary matters, to promise that he would print "nothing concerning the Government till first the same be revised by the clerks of Her Majesty's Privy Council." Later, the Town Council licensed the Edinburgh *Evening Courant* "on the understanding that the editor would be 'obliged to answer the

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[4] T. E. May, *Constitutional History of England*, II, 102–181, gives a résumé of the relation between authority and the press from the beginnings of the license system through the eighteenth century.

Magistrates and Council for the time being for what he shall print and publish, and before publication to give ane coppie of his Print to the Magistrats'." As late as 1734 the Council issued instructions that "to prevent the dispersing of prophane or scandalous Papers, none shall presume to expose to sale any papers or Pamphlets (except such as are published by authority) until they be seen or approven of by the Magistrates or any whom they shall appoint for that purpose" on pain of "imprisonment during pleasure." But by 1734, "the thunderings of the Council were as the sound of shot in any empty barrel." [5]

The Church in Scotland was also concerning itself with the press and at a time of ecclesiastical crisis—coincident with the advent of newspapers in Scotland—felt compelled "to attempt some supervision over what might reach the ears of the people either through the news sheets or by the more careless, methods of the jade rumour." A petition was accordingly sent Parliament in 1643 that parish ministers should be employed to spread news,—"Because thruch want of sure and tymous intelligence a greate pairt of the people are ather left to uncertane rumoures or flichted by the negligence of common beareres, or abuseit with malignant informationes that thei nather know thair awin danger nor the danger of religion in the cuntrey. A solide ordour would be set down whereby intelligence may goe furth from Edinburgh to everie shyre and so to everie particular pastor That the people may be informed both of thair danger and dewtie." [6] The student of history must assuredly agree with W. J. Couper that "it is perhaps not to be regretted that this method of censoring public news did not commend itself."

But other equally extreme measures were later taken and under Charles II "embargo was laid even on the reading of manuscript news-letters in public coffee-houses—the great news centres of the towns—until they had 'first been presented to the Bishop of

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[5] These and other facts concerning the licensing of the press in Scotland have been taken from W. J. Couper, *The Edinburgh Periodical Press*, "The Censorship of the Scottish Press," I, 77–91, and subsequent chapters on "The Edinburgh Town Council and the Press" and "The Liberty of the Press."—The entire work (2 vols.) is an important and exhaustive history of the subject.

[6] *Acts of the Parliament of Scotland*, VI, i, 10, cited by W. J. Couper, I, 79.

Edinburgh or any other privy councillor or to the clerks of Council that they may consider them and thereby false and seditious news and slanders may be prevented'." [7] Nor was the situation improved when in 1699 the Privy Council decided to censor the manuscript of newspapers before they were sent to the printer, and the editor of the Edinburgh *Gazette* was ordered to submit his copy to the clerks appointed to read and "to mark the same before they be given in to the Printing house and the said [editor] to cause print his Gazetts according to the Coppie marked by the saids Clerks of the Privy Councill." [8] But the Privy Council "with all its tyranny and irresponsibility" was itself doomed and "its disappearance [in 1708] was a great step towards the emancipation of the Press." [9]

In England the system of license covered the greater part of the seventeenth century. Even in the sixteenth century under Mary the privilege of printing was confined to the Stationers' Company that was chartered in 1556. The first codification of enactments in regard to periodicals was made in 1586. This restricted printing in England to London, Oxford, and Cambridge, limited the number of printers, and ordered all books to be read, before printing, by the Archbishop of Canterbury or the Bishop of London who could, however, perform the duty through deputies.[10] The Decrees of Star Chamber of 1637 amplified the previous decrees and were aimed at the Puritan pamphleteers.[11]

Shortly after the Restoration Sir Roger L'Estrange issued a pamphlet [12] in which he recommended that printing offices should be under inspection and that none of them should have back doors. He recommends "the ordinary penalties" for treasonable or seditious publications,—"death, mutilation, imprisonment, banishment, corporal pains, disgrace, pecuniary mulcts." But he thinks that culprits of lower grade might well be "condemned to wear some visible badge or mark of ignominy as a halter instead of a hatband, one stocking blue and another red, a blue bonnet with a red T or S upon it."

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[7] W. J. Couper, *op. cit.*, I, 84.

[8] *Ib.*, I, 87–88.

[9] *Ib.*, I, 91.

[10] J. B. Williams, *History of English Journalism to the Foundation of the Gazette*, p. 2.

[11] These are given in full in the Arber edition of the Areopagitica, as is also the Order of Parliament of 1643 that assumed the control of printing after the fall of the Star Chamber (1641).

[12] *Considerations and Proposals in order to the regulation of the press: together with Diverse Instances of Treasonous, and Seditious Pamphlets, Proving the Necessity thereof.* 1663.

"Whether on account of this pamphlet," says Masson, "or because he had already been thought peculiarly well qualified, certain it is that, in August 1663, Roger L'Estrange, Esq., was appointed to the new office of 'Surveyor of the Imprimery and Printing-presses,' with the right of 'the sole licensing of all ballads, charts, printed portraictures, printed pictures, books, and papers,' except such as had already been otherwise provided for by the Act of May 1662, and with a grant also of 'all the sole privilege of writing, printing, and publishing all narratives, advertisements, mercuries, intelligencers, diurnals, and other books of public intelligence, and printing all ballads, plays, maps, charts, portraictures, and pictures, not previously printed, and all briefs for collections, playbills, quack-salvers' bills, custom and excise bills, post-office bills, creditors' bills and tickets, in England and Wales, and with power to search for and seize unlicensed and treasonable, schismatical and scandalous books and papers'." He was thus constituted, sole journalist of England and Wales; one of the licensers of books for the press; inquisitor-general of the press, and of all printing-offices, shops of booksellers, and vendors or hawkers of books, pamphlets, or newspapers.[13]

Soon newspapers were practically reduced to the *London Gazette*.[14] The Star Chamber Order of 1637 was practically reenacted in the licensing act of 1662.[15] This was limited to two years and was successively renewed up to 1679, but the temporary freedom from license did not extend to the gazettes since the courts unanimously held the opinion that no man, not authorized by the crown, had a right to publish political news.[16] In 1685, it was renewed for seven years, and although it thus expired in 1692 it was continued to the end of the parliament then in session, but not renewed in 1695. A few years later there opened in England a different chapter in the history of the attempt made by authority to control the press.

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[13] J. Nichols, *Literary Anecdotes*, IV, 54–55, Note; D. Masson, *Life of John Milton*, VI, 327–328.

[14] G. Kitchen, *Sir Roger L'Estrange*, p. 150.

[15] Macaulay, *History of England*, I, 426.

[16] The text is given in C. G. Robertson, *Select Statutes*, pp. 60–66.

In France a pre-censorship preceded the printing press and the University had the authority to pass on works prior to their circulation. Prior to 1789, says M. Hatin, privilege, censorship, authorization described the legislation affecting the press. With the coming of the Revolution all things were to be made new and the constitution of 1791 guaranteed "freedom to every man to speak, write, print and publish his thoughts, without the necessity of submitting his writings to any censure or inspection before publication." [17] The conditions that this provision sought to improve are illustrated by the struggle that had centered about Brissot de Warville and his efforts to establish the *Patriote Français*. How these efforts were regarded is seen from a letter of M. de Maissemy, director general of the book trade in France, who wrote to the lieutenant of police, April 14, 1789: "I have just been informed that there is being distributed in Paris the prospectus of a periodical work entitled *Le Patriote Français*, permission for which has neither been asked nor accorded. . . . I at once wrote a circular letter to the officials of the Chamber of Syndics in Paris and to all the inspectors of the book trade in the kingdom, to forbid the distribution of this prospectus and of the paper which follows it. . . . I have the honor of asking you, sir, to give, on your side, the most exact orders to prevent the circulation of this prospectus. . . . You surely have knowledge of the prospectus in question, and it will appear to you, as it does to me, to be of the last degree of audacity emboldened by impunity." [18]

The struggles of Brissot with the pre-censorship exercised by authority have been fully and admirably discussed in the recent authoritative life of Brissot.[19] This shows most conclusively that throughout the early period of the Revolution there was justification for the famous satire of Beaumarchais who in the person of Figaro says: "They all tell me that if in my writings I mention neither the government, nor public worship, nor politics, nor morals, nor people in office, nor influential corporations, nor the opera, nor the other theaters, nor any one who has aught to do with anything, I may print everything freely, subject to the approval of two or three censors." [20] In the end, Brissot was defeated by his own colleagues and compelled to give up the editorship of the *Patriote Français*. Freedom from censorship existed during the first period neither for royalist nor for anti-royalist journals, in spite of the courageous assurances of the constitution of 1791.

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[17] The texts of all legislative acts in France affecting the press from 1810 to 1868, as well as a discussion of their enforcement, are given by E. Hatin, *Manuel de la liberté de la presse*, II, 291–416. In his *Histoire de la presse en France*, M. Hatin treats exhaustively the history of the struggles of journals and journalists against all forms of authority.—F. M. Anderson, *Constitutions and Documents Illustrative of the History of France* gives in translation the main laws concerning the press.—G. F. Barwick gives an admirable survey of the subject, together with the full text of the law of 29 July, 1881, on the liberty of the press, dealing largely with the periodical press, in "The Laws Regulating Printing and Publishing in France," *Transactions of the Bibliographical Society*, October, 1915 to March, 1917, XIV, 69–107.

[18] E. Hatin, *Histoire de la presse en France*, V, 11–12: P. Manuel, *La Police de Paris dévoilée*, I, 64–65.

During the Napoleonic period of the Revolution, censorship reached its climax. By 1811, all semblance of freedom of the press had disappeared; all press properties, profits and revenues belonged thereafter to the government; independent papers had been suppressed or merged with the official press; the establishment of any new publication was prohibited; Paris and the provinces bowed their heads under the yoke of the police and the administration. The four journals that survived were only tools in the hands of Napoleon and his ministers; their politics and their opinions were such as their masters had pleased to give them; the newspapers lived in servitude and only too fully exemplified Napoleon's contemptuous characterization, "They say only what I wish." [21]

The downfall of Napoleon brought little relief in the censorship of the press. The activities of the Royalists indeed fastened the hand of the censor still more heavily on the press both of Paris and of the provinces. The legislation of 1819, 1820, and 1822 provided for a pre-censorship of the press. The Commission acting under the law of 1820 undertook to decide the difference between a fact and an idea, and also decided that facts already established,—religion, the monarchical form of government, royalty, and the private life of citizens,—should all be barred from discussion by the press.[22]

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[19] E. Ellery, *Brissot de Warville*, Chaps. III, VI, VII. This is invaluable for the study of pre-censorship during the first period of the Revolution.

See also M. Tourneux, "Le Régime de la presse de 1789 à l'an VIII," *La Revolution française*, 1893, 25: 193–213.

[20] *The Marriage of Figaro*, Act V, Scene III.

[21] H. Welschinger, *La Censure sous le premier Empire*, p. 119.—This work is invaluable for a study of the censorship under Napoleon, since it includes a full collection of the documents relating to the censorship of the period (pp. 261–324); A. Söderhjelm, *Le Régime de la presse pendant la revolution française;* H. Avenel, *Histoire de la presse française depuis 1789 jusqu'à nos jours*, gives a general survey.

What was to be expected of the Commission in its dealing with these questions is indicated in the account given by one of its members. "The Chamber began serious work," he writes, "on November 21. Shortly afterwards I was appointed a member of the Commission entrusted with the drawing up of the Censorship Bill—the most important one of that time. My opinions on the subject of the liberty of the Press were known. Pasquier, who thought that I was capable of obstructing the bill out of a spirit of opposition to himself, got Mézy, who was a member of my committee, to sound me on the matter. 'Tell Pasquier,' I replied, 'that I hate the liberty of the Press so much that I would subject even him to the censorship.'"[23] A few years later he writes: "On November 6 there appeared in the *Moniteur* Villèle's three last pieces of stupidity: first, the decree dissolving the Chamber; second, that creating seventy-six peers; and third, that suppressing the censorship. Alas! children break their tools instead of using them! These three ordinances presaged the fall of the monarchy."[24]

But the monarchy did not fall before the Royal Ordinance of 1827 carried still farther extreme measures of censorship. It established for Paris a bureau of six censors to be appointed by the king and this bureau was charged with the prior examination of all newspapers and periodicals; every number before being printed must have been authorized by the bureau. In the departments, the prefects were to appoint censors charged with similar duties. The Ordinance of July 25, 1830, again suspended liberty of the press, although the announcement seemed ironical in view of what must seem a previous entire absence of liberty of the press.[25] It provided that no journal or periodical established or to be established could appear in Paris or in the departments except under authorization,[26] that this authorization must be renewed every three months, and that it could be revoked.

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[22] The censorship of 1820 and 1821 has been made the subject of an elaborate monograph by A. Crémieux, *La Censure en 1820 et 1821. Etude sur la presse politique et la résistance libérale.* It is specially valuable for the account given of the censorship in the provinces.—The principles governing the Commission are given p. 18.

L. Bruley gives a history of pre-censorship in France, during a limited period under the title *Régime préventif des journaux et des brochures sous la restauration.*

[23] *Recollections of Baron de Frénilly*, p. 314.

[24] *Ib.*, p. 357.

These are but suggestions that the main features of censorship in France are practically a repetition of those in England,—license,—"carried to a pitch which became a disgrace to civilization," warnings, interdicts, suppressions, suretyships, stamp duties, registrations,— until the law of 1881 virtually removed all restrictions. They are also but suggestions of the indisputable conclusions that pre-censorship of the press determines the conditions under which opinions and wishes may be expressed; that it charges with heavy burdens the use to be made of the press and imposes responsibilities that discourage editors; that it restrains all freedom of expression outside of the definite rules prescribed by authority; and that the resources of authority in circumventing the press are limitless.

The experience of France as well as of England long showed the absurdity of involving the printer as well as the editor in censorship. As early as 1819 Benjamin Constant had warned the French that liberty of the press would not exist in France so long as the printer was regarded as an accomplice when censorship was enforced against the press, and as long as for a slight error he could be deprived of his license. To profess to give liberty of the press while enchaining the instrument of its production was to speak of the laborour without plow and the sailor without sail.[27] But in spite of warnings, the printer was long involved in the regulations made by the censor,—"the minister of the interior held the right of life and death over the industry;" the printer was in effect a functionary of the government; and since he was often unwilling to run the risk of forfeiting his license, the limitations on the material printing press became an inevitable limitation on freedom of expression.[28]

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[25] F. M. Anderson, *Constitutions and Documents*, pp. 489, 495–496.

[26] E. Laferrière, *La Censure et le régime correctionnel*, p. 154.—An illustration of the later working of the law was the case of M. Portes who had paid 6,000 fr. for a journal on the death of its previous owner. He notified the minister of the interior of the change in ownership and applied for a continuation of the authorization. Three months later he received an oral refusal and on asking for a statement in writing he received instead a reprimand from the prefect.—*Op. cit.* pp. 159–163.—Five hundred influential citizens of Nabonne asked for an authorization for a journal of agriculture. Three months later, when only an oral refusal from the under-prefect had been received, the petitioners again addressed the minister of the interior asking for a definite statement from him and three months later the refusal was, again orally, confirmed by an officer of the police.—*Op. cit.*, pp. 165–169.

In no country as in France is so much material available for the study of all phases of pre-censorship, and the recent war has but added enormously to the material previously existing. Almost with the outbreak of the war came protests against the official news bureau for suppressing the news of disasters, and the slogan became "let the public be trusted."[29] The censor was quickly reported to be working overtime,[30]—a situation not to be wondered at, since every newspaper had to submit its entire proof to the censor before going to print. This involved an extraordinary burden for the censors who each day had to read and decide on more than eight hundred columns of matter, to take care not to favor one journal more than another, and to secure a certain uniformity as to what was published as news.[31] It is not surprising that they were condemned for cutting out part of Sir John French's latest dispatch and for a multitude of similar indiscretions.

The Socialist group in particular demanded a less rigorous censorship, urging that the Government ought to respect public opinion and preserve the principle of liberty of the press, and the protest was general, "against the persistent obliteration of political criticism on the ground that it may hamper the Government." The Socialist party passed a resolution refusing to allow one of its members to accept the post of chief civil censor because "the Socialist party [considered] that the censorial limitations ought to concern only information likely to interfere with military and diplomatic operations, and, too, that the Government ought to regard public opinion as supremely important and to supply it officially with the widest information possible within the limitations of national defense." [32] This opposition was again consistently illustrated when in 1918 the leader of the French Socialist party protested against a censorship that deleted from *L'Humanité*, the Socialist organ, several paragraphs concerning the Italian celebration of the anniversary of Italy's entrance in the war.[33]

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[27] Cited by Laferrière, pp. 174–175.

[28] M. Laferrière discusses at length the disadvantages of requiring printers' licenses, caution money, or stamps, and of enforcing preventive seizure against the press, pp. 181–197. His discussion in Part I of "La Censure préventive" and in Part II of "Les Mesures préventives" is invaluable in understanding the subject in France.

[29] New York *Times*, August 25, 1914.

[30] New York *Tribune*, September 27, 1914.

[31] Stoddard Dewey, New York *Evening Post*, November 12, 1914.

With the approach of peace, hopes were high that it would bring an end of preventive censorship, but these hopes were quickly doomed to disappointment and protests against repressive censorship came at once from Paris, London, and Washington. "In Paris," cabled one correspondent, "despite the armistice, the censorship has suddenly become more extreme than at any time during the war." [34] M. Clemenceau had announced the abolition of political censorship,[35] but he had later reversed the policy. The *Temps* appeared with two large blank spaces on its front page and a note on the back page explaining that the censor had refused to allow it to print two extracts from the London *Times* of the previous day. Not a word was to be cabled concerning the approaching visit of King George to Paris. "Public opinion in an international sense is tied hand and foot by the censorship. Now if ever in the world's history there is need for the fullest freedom of discussion and dissection of all possible information. Without this the peace conference may lead to disaster as great as the war itself." [36]

Six weeks later the censorship was still operative. The French censors were sensitive about the press matter that left France and they were especially anxious that unfair reference to President Wilson, the personnel of the peace conference, and similar matters should be closely watched.[37]

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[32] New York *Times*, January 15, 1915.
[33] New York *Times*, May 28, 1918.
[34] New York *Tribune*, November 27, 1918.
[35] New York *Tribune*, November 22, 1918.
[36] New York *Tribune*, November 27, 1918.

After the war, the members of the foreign press were assured that a policy of freedom would prevail and that no censorship of foreign cables would be exercised by France, and that every reasonable facility would be given foreign newspapers during the peace conference,—"what you write will be transmitted just as you write it," was the significant promise made the press correspondents.[38] Yet the promise seemed more honored in the breach than in the observance, for some weeks later the old complaints of the censorship again cropped out,—if indeed they had ever ceased. "At present [March 21, 1919]," wrote one incensed correspondent, "the French censorship is fully as rigid as at any time during the war. Everything regarded as having questionable possibilities is firmly suppressed, and this is particularly the case in respect to anti-Wilson matter either from America or in the shape of French comment." [39] A cable message at the same time indicated that while military censorship still had complete supervision of news concerning armies, complete censorship of the peace conference was still established without adding a line to existing rules. There were still the daily white spaces in the French papers, although some comfort was found in the suggestion that these indicated not greater activity of the censor but growing boldness of the press in discussing delicate international questions.[40] M. Tardieu has squared the circle in saying in regard to the censorship exercised during the peace conference, "The Treaty, had it been more quickly and more thoroughly explained, would have been better understood. But by multiplying the echoes of dissension the danger would have been great that there would be no Treaty at all. That is the whole question." [41]

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[37] New York *Times*, December 27, 1918.

That the French were over-sensitive about the situation as regards Americans was indicated by M. Poindexter, "Your Right to Speak Freely," *Forum*, December, 1918, 60: 670–676.

[38] New York *Tribune*, January 29, 1919.

[39] W. Duranty, in New York *Times*, March 23, 1919.

[40] New York *Tribune*, March 24, 1919.

[41] A. Tardieu, *The Truth about the Treaty*, p. 114.

In Germany, decrees based on the Resolutions of Carlsbad provided in 1819 for a rigid censorship of the press:

> "So long as this decree shall remain in force no publication which appears in the form of daily issues or as a serial not exceeding twenty pages of printed matter shall go to press in any State of the Union without the previous knowledge and approval of the State officials. . . . The Diet shall have the right to suppress on its own authority such writings included in [the section above] in whatever German State they may appear, as in the opinion of a commission appointed by it are inimical to the honor of the Union, the safety of individual States or the maintenance of peace and quiet in Germany. There shall be no appeal from such decisions, and the governments involved are bound to see that they are put into execution."

If a newspaper was suppressed, the editor could not within five years edit a similar publication in any State of the Union.

Previous to 1848 a censorship which forbade the printing of any and all material without previous permission was enforced.[42] In Prussia, by the Constitution of 1850, "Censorship of the press may not be introduced; and no other restriction on the freedom of the press shall be imposed except by law." Thus the right to limit freedom of the press rested only in the legislative, not in the administrative department.[43] Legislation in regard to the press was later vested in the Imperial Government.[44]

From the time of Bismarck, the chief relationship between authority and the press was for the most part that of a punitive censorship and of a control of the press through the press bureau. It was through this bureau, as one phase of its work, that the preventive censorship was exercised during the recent war.

The news prohibited from the very first included the devastations in Belgium and in France, all reports of disasters to the Germans, details of the closing of factories, coal and food shortage, poor crops, accounts of prisoners of war employed in mines and munition works, street disorders, strikes, and industrial unrest,—a censorship the extent of which was unsuspected even by the

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[42] H. G. James, *Principles of Prussian Administration*, p. 226.

[43] *Constitution of the Kingdom of Prussia*, translated by J. H. Robinson, Art. 27.

[44] The Imperial Constitution is given in E. A. Hertslet, *The Map of Europe by Treaty*, III, 1930–1952.

Germans themselves, especially since the newspapers were forbidden to leave blank spaces and thus indicate how much had been deleted.[45] Even in June, 1918, newspapers were severely punished for attacks on the Pan-Germans and an extraordinarily severe censorship was maintained even on non-military matters,—"the censorship regards itself as divine."[46] A few months earlier there had been prohibitions on news of food shortage; on advertisements of dog meat for sale; on the state of the clothing material business in Switzerland and in the occupied districts; and on all mention of German importations from other countries.[47]

This is but the baldest statement of the conditions obvious to all. Its general plan during the war has been indicated in a recent work[48] showing the character of the subjects proscribed, and that thus a pernicious influence was wielded through the German press on all parties and public opinion systematically misled. The most important instrument used by authority was the *Official Censorship Book for the German Press*, published in 1917, that gave detailed directions to the press in regard to its course. Among the proscribed subjects were: the place where the Kaiser was at the time; any indication of the location of the general headquarters; unofficial reports of explosion disasters; any comment whatsoever on any success of the enemy on the Western front; attacks on diplomats serving abroad; news of the destruction of a German submarine by an English torpedo boat; news of suicides of young women through grief over the death of their betrothed at the front; news of the christening of a princess in the imperial family; news of the temporary interruption in the service of a garrison church caused by the illness of the officiating clergyman; anything concerning a warning relating to the dissemination of military rumors that was to be soon posted in the Berlin stock exchange; the request of an ordnance soldier on the Eastern front for anecdotes, letters, and pictures portraying the life of ordnance soldiers which he desired for the purpose of writing a book upon their experiences; reports as to Italy's attitude were to be treated as exaggerations until Italy actually declared war, and a similar attitude was taken in the case of Roumania and of America.[49]

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[45] N. Hapgood, "How Fighting Governments Suppress Opinion," *Harper's Weekly*, July 24, 1915, 61: 76–78.

[46] Foreign correspondence of New York *Tribune*, July 27, 1918.

[47] New York *Tribune*, January 8, 1918.

[48] Kurt Mühsam, *Wie Wir Belogen Wurden. Die Amtliche Irreführung des deutschen Volkes.*

This book is invaluable, giving as it does an opportunity to go behind the scenes and see the inner workings of the machinery of the German censorship. A German reviewer speaks of the author as "a newspaper writer who was intimate with the mysterious operations of the censorship during the whole four years of the war," and therefore "in a position to appraise its influence properly."—*Der Tag*, January 17, 1919. C.

These illustrations indicate fairly well the minute detail that characterized the preventive censorship in Germany, but they are also typical of the instructions given the press early in the war. *The Norddeutsche Allgemeine Zeitung* announced that "The Bavarian Minister of War, under date of November 27th, has, from well-considered reasons, altogether prohibited the Bavarian daily newspapers from publishing the lists of losses from December 1st onwards. The newspapers may only refer to each appearance of a new official list of losses in the '*Reichsanzeiger*.'[50] In order to make the inspection of the official list of losses as convenient as possible for individuals who are interested, there has since been sent free of cost to all Bavarian district and municipal administrations, as well as parish ministers, at least one copy each of the list of losses suitable for posting up. With this arrangement the newspapers as well as the public in the kingdom of

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[49] This partial summary is made from an extended review of the book given by *Der Tag*, January 17, 1919. C.—It has been made from this source rather than from the book itself as showing the attitude toward it on the part of a critical review not unduly sympathetic with the opponents of the then-existing order.—The original orders are given by Mühsam, pp. 27–59.

The *Berliner Lokal-Anzeiger* "publishes a kind of critical supplement on six days in the week called *Der Tag*, which is an open platform for opinions ranging from Free Conservative (von Zedlitz) to Majority Socialist (Lensch). How little even *Der Tag* admits of the free expression of opinion which it professes is shown by the fact that during the July crisis Professor Hans Delbrück sent in a reply to a particularly virulent attack made by Eugen Zimmermann upon Bethmann Hollweg. The reply was completely suppressed (see *Preussische Jahrbücher*, August, 1917)."—*The New Europe*, "The German Press," April 11, 1918, 6:409–416.

[50] "The *Reichsanzeiger* is a purely official paper, owned by the government outright, and is used principally for formal news. Imperial decrees and declarations, the awarding of orders and decoration, etc., see the light first in the *Reichsanzeiger*."—W. von Schierbrand, *Germany* (1907) p. 253.

Bavaria are obliged to be content and are already content.—"[51]

Of the larger subjects that were proscribed later in the war those of war aims and peace terms were the most important. "This prohibition," says a press correspondent "has been extended to the greatest possible extent; to-day its application is multifarious and bewildering. Now some particularistic chauvinistic pleas for annexation in the *Deutsche Tageszeitung* (the Pan-Germanic organ) will be regarded as offensive; now some apparently harmless article in the *Vorwärts* which ventures to suggest that Socialists disapprove of wars of conquest. It is only when you come to realize that the German Government has firmly decided on a considerable extension of its power and territory, and that it is trying to steer a narrow course between the Socialists' unwillingness to sanction these aims, on the one hand, and, on the other, the chauvinists' overwillingness, which creates suspicion and antagonism among neutral nations, that the ways of the censor appear, if not less inscrutable at least less absurd."[52]

After the American occupation of the Rhine district, the press in the occupied areas was notified that nothing must be printed that might inflame people against the government of the United States or the Allies.[53]

Throughout the war not only were subjects proscribed, but newspapers as a whole were placed under a preventive censorship, and obliged to submit political articles to the censor before publication.[54]

After the revolution and the close of the war, the conditions of preventive censorship were apparently reversed rather than inherently changed. The *Münchener Neueste Nachrichten*[55] was apparently suspended for several days, but publication was resumed when the Munich Soviets took control of it and the editors stated that "all the contents of the paper are subject to a previous censorship by the press committee of the central council" and that "the bourgeois papers are obliged to publish articles that the press committee of the central council sends them."[56]

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[51] *Norddeutsche Allgemeine Zeitung*, December 12, 1914, in *A Month's German Newspapers*, selected and translated by A. L. Gowans, p. 144.

Incidentally it may be noted that one reason given for not publishing the lists was the impossibility of doing so from considerations of space alone, since they occupied at least forty pages of the *Reichsanzeiger* every day,—a significant index of the heavy losses suffered at that time.

[52] G. Hirsch, in New York *Evening Post*, March 23, 1916.

[53] New York *Times*, December 21, 1918.

[54] New York *Tribune*, February 20, 1917.

The *Frankfurter Zeitung* was placed under a preventive censorship, but this was soon raised.—New York *Evening Post*, July 6, 1917.

[55] "*Münchener Neueste Nachrichten* is the principal paper in Bavaria, and is non-Catholic, i. e., it supports the towns against the Agrarian Catholic

A repressive censorship was continued in Berlin, and Hans Vorst complained: "If we could free ourselves from bureaucratic clumsiness, we could easily establish a German information service which would at least obtain for us the Russian newspapers."[57]

After the struggle was over and the time came for distributing the blame attaching to the censorship among the various parties concerned, General von Ludendorff explained that General Headquarters took charge of the press, the censorship, precautions against spies, and sabotage at home,—"all these wide fields were left to the unaided efforts of the military authorities, to the detriment of the conduct of the war." Co-operation with the Government had been essential, but General Headquarters had been unsuccessful in this co-operation,—"the direction of the press and the enlightenment of the public remained mere patchwork."[58]

Pre-censorship in Austria was equally trying to the press. In Vienna at the beginning of the war, the newspapers worked under the greatest difficulties since they were supplied with bulletins of less than a score of words each and from these they must write

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Centrum. Recently it was an advocate of a conciliatory policy towards the strikers, such as was pursued by the Bavarian Government. It condemned the Berlin policy of military repression. Further it considers that the Prussian Franchise question is a matter of Imperial interest and deprecates Conservative opposition and obstruction. Though not 'Particularist,' it maintains Bavarian rights against Prussian encroachments. Has recently been opposed to Pangerman annexationism in all its forms."—"The German Press," *The New Europe*, April 11, 1918, 6:409–416.

[56] *Münchener Neueste Nachrichten*, February 25, 1919. C.

The number for March 15 and 16, (Number 122) was the first issue since immediately after Eisner's assassination that did not bear the legend "Appears under the Control of the Central Council." C.

[57] *Berliner Tageblatt*, February 4, 1919. C.

[58] E. von Ludendorff, *Own Story*, pp. 8, 20.

their descriptions.[59] Protests were made against the censorship and pleas made for the removal of restrictions on the press,[60] but apparently in vain. The Austrian press was forbidden to comment on the relations between Austria and Italy,[61] and the Socialist papers were specially badgered.[62] Even the protests of the all-powerful *Neue Freie Presse*[63] were unavailing,[64] as had been the protests of a delegation of journalists presented to the Premier and the Minister of Justice.[65] There were frequent reports that the censorship was to be much relaxed,[66] and the Hungarian Minister of Justice told the Budapest Press Association that he intended to reform the press law and remove the censorships as far as political, economic, and foreign political news was concerned.[67] One press correspondent found the German censorship mild compared to the Austrian;[68] Hugo Haase said in the Reichstag that in Austria columns were filled with reports of monster mass meetings that endorsed the Russian armistice and peace overtures;[69] while copies of the *Arbeiter Zeitung* of June 2, 1918, received in New York, showed censored accounts of the resolutions protesting against the prorogation of the Reichsrath, against the food situation, and against the general policy of the government.[70]

The *Arbeiter Zeitung* published an article on "The Jugo-Slav Question," and prefaced it with a statement that the article was censored by a representative of the foreign office and entirely suppressed in the issue of three days previous, representing a gap of two columns on its first page. Permission, however, was later given to publish it with four deletions of thirteen, fourteen, fifteen, and ten lines respectively. But the *Arbeiter Zeitung* bitterly complains that "the censorship has removed everything in which we have tried to explain the connection of the Jugo-Slav question with world events. Even the title had to be changed. Nevertheless the article will probably be clear to the reader even if garbled by the censorship which apparently assumes that it can stop the course of world history by its prohibitions."[71] Some months later it was reported that the front page of every Hungarian newspaper bore the inscription, "This newspaper has not been censored."[72] Difference in dates must in part explain these variations in testimony, but the fact remains that, as is shown elsewhere in other connections, pre-censorship of the press was the natural tendency of authority in Austria and the leopard did not change its spots.[73] One of the first demands that Austria made of Servia in July, 1914, was that it should suppress all anti-Austrian publications, and to this Servia agreed.[74]

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[59] New York *Times*, September 16, 1914.

[60] Dr. Franz Klein, New York *Evening Post*, March 16, 1915.

[61] New York *Tribune*, March 22, 1915.

[62] New York *Evening Post*, November 13, 1915.

[63] "Detestation of the leading Austrian journal, the *Neue Freie Presse*, is general, yet it has an influence probably unsurpassed by that of any journal in the world. To be attacked by the *Neue Freie Presse* is a certificate of political uprightness, but politicians and officials nevertheless fear it. . . . The greater part of what does duty for 'Austrian opinion' is dictated or suggested to the public by the editor-proprietor of the *Neue Freie Presse*, of whom it has jokingly but, in a sense, not untruthfully been said that 'next to him the Emperor is the most important man in the country.'"—H. W. Steed, *The Hapsburg Monarchy* (1913), pp. 186–187.

[64] New York *Evening Post*, October 25, 1915.

[65] New York *Evening Post*, March 27, 1915.

[66] New York *Times*, November 11, 1916.

[67] New York *Evening Post*, June 22, 1917.

[68] G. Hirsch, New York, *Evening Post*, March 23, 1916.

[69] New York *Tribune*, January 15, 1918.

[70] New York *Times*, July 14, 1918.

Thus the pre-censorship of the press in Germany and in Austria during the war was, more than in other countries, merged into a positive regulation of the press. From the very beginning, careful and detailed instructions were issued to the censor and, while these were varied from time to time, they were maintained to the very end of the war.[75] The censorship included not only military news but political discussion as well,[76] and it varied in severity according to the character of the newspaper,—the radical press was most severely dealt with, the official press received "instructions," while the newspapers occupying the middle ground needed "nothing worse than an occasional rap." [77]

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[71] *Arbeiter Zeitung*, September 15, 1918. C.

[72] New York *Evening Post*, October 31, 1918.

[73] J. M. Vincent, "Politics and History at Vienna," *Nation*, 53: 443-445.

[74] *Austrian Red Book*, Nos. 7, 25; *Serbian Blue Book*, Nos. 32, 39.

[75] An invaluable authority for the beginning of the war is found in *A Month's German Newspapers* [December, 1914], selected and translated by A. L. Gowans. This gives selections from eight newspapers representing different political and economic policies and shows the wide variation in the acceptance of the censorship on the part of the press. The official *Norddeutsche Allgemeine Zeitung*, referring to the Bavarian minister of war who "has, from well-considered reasons, altogether prohibited the Bavarian daily newspapers from publishing lists of losses from December 1st onwards" assures its readers that "with this arrangement the newspapers . . . are obliged to be content and are already content." December 12, 1914.—*Vorwärts* from the beginning protested strongly against the censorship and paid for its protests with repeated suspensions.—*The Literary Digest*, December 11, 1915, gives a reduced facsimile of *Vorwärts* announcing one of its suspensions.

These are but the slightest intimations of the handicap provided by the censor for the historian who wishes to use the German press as authoritative material for conditions and opinions in Germany from 1914 to 1919. But in and of itself no more unimpeachable record can be found than is thus afforded of the dominance of the press by the General Staff. The very effectiveness of censorship becomes its own undoing.

In Italy the objective point of the censorship again shifts to a prohibition of everything that may afford a means of communication for its enemies. Advertisements in Italian newspapers, especially "wants" and "personals," were frequently used by the Germans for secret communications, and the censor's pencil was particularly directed against these,[78] until official decrees prohibited advertising in periodicals sent to foreign countries and provided heavy penalties for all erring editors.[79]

It seems probable that Italy somewhat readily adapted herself to these conditions of censorship since she had had long experience with the rigors of press laws. Even Cavour, although he appreciated the value of the press, although he had himself in 1847 established *Il Risorgimento*, and in 1848 was one of the forty journalists who had marched in Turin in honor of the revolution, had in 1852 favored the passage of a press law bringing editorial criticism of foreign rulers under the ban of the censor.[80] The relations of Italy to her immediate neighbors have always been particularly delicate, and Napoleon III was in 1852 specially sensitive to criticism,—he could suppress it in France, but he had to rely on others to forestall criticism of himself elsewhere. A Piedmont press law obligingly enabled a foreign prince, through his representative, to bring a criminal libel suit against a libellous paper, but this was seldom done and "the abuse continued at Turin and Paris continued to scold." [81] The Orsini conspiracy led the Piedmontese parliament "to sharpen the law against newspapers which preached or abetted political conspiracy," but Cavour's path was a thorny one in attempting to frame a law satisfactory to France that would not at the same time shield Naples, Rome, and Austria, but he made it clear the Piedmontese editors must keep within diplomatic "correctness" in their criticisms of the enemies of Italy.[82]

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[76] An excellent account is given by J. G. Randall, "Germany's Censorship and News Control," *North American Review*, July, 1918, 208: 51–62.

[77] N. Hapgood, "How Fighting Governments Suppress Opinion," *Harper's Weekly*, July 24, 1915, 61: 76–78.

[78] Copies of *Avanti* and the *Corriere della Sera** showed wide gaps made by the censor in the pages and columns usually filled by advertisements.

* "*Corriere della Sera.*—The leading Italian paper, of European importance, Constitutional-Liberal, moderate, admirable news service. Circulation about 600,000. In peace time always opposed to Giolitti, and since August, 1914, consistently anti-German. Always pro-Ally, its weighty character imposed on it a certain reserve prior to Italy's declaration of war on Austria. Afterwards it was inclined to favour an extension of closer relations with the Allies, but opposed sending troops to France. Often criticises the Government, but consistently supported Salandra, and was indignant at the provocation of the crisis which caused his fall. It still agitates for greater propaganda and a firmer policy at home. It was one of the very first papers to advocate the agreement with the Jugoslavs. Very fair to Allies. Publishes mild Imperial articles. The only Italian paper with a competent naval correspondent. The range of its special contributions is extraordinary, and in this it resembles a review more than a newspaper."—"Guide to the Foreign Press: Italy," *The New Europe*, April 18, 1918, 7: 19–24.

[79] The official texts are given by the *Library Journal*, July, 1918, 43: 483. A similar order had been issued in Paris, June 11, 1918.

These restrictions, Cavour felt, did not in the least affect the real freedom of speech that Piedmont enjoyed and he wrote, October 27, 1857, that in Piedmont there had not been a single real ministerial crisis in nine years and that "such a stability proves that the liberty of the press does not exert a dangerous influence." [83]

A pre-censorship of the press that involves a system of licensing has usually, in normal times, developed into lists of subjects issued by authority that are not to be treated by the press. This has been less onerous to authority than licensing and it has carried a definiteness that has been advantageous in enforcing a punitive censorship. Such lists prior to the war seemed amusing to the press of Western Europe and of America, but the war changed the situation and brought previously unsuspected prohibitions. A pre-censorship of war news pure and simple developed into a preventive censorship of anything that would help the enemy, news of the work of the peace conference, and finally into all criticism of the government.

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[80] W. R. Thayer, *Life and Times of Cavour*, I, 73–74; 83–84; 140–141. See also, "Cavour as a Journalist," *Atlantic Monthly*, October, 1892, 70: 557–562. The article is a review of two volumes of Cavour's miscellaneous writings, comprising the editorials he contributed to *Il Risorgimento*.

[81] W. R. Thayer, I, 222–223.

[82] *Ib.*, I, 514–515.

[83] *Ib.*, I, 515, Note.

This pre-censorship had been developed in its most extreme form in Russia where long lists of forbidden subjects ranging from the use of the word "authorities" and "bureaucracy" to "all that which the Censor may find 'not altogether convenient' " long strangled the Russian press.[84]

Under Alexander II, the censorship of the press seemed to be somewhat modified and the newspapers of St. Petersburg and of Moscow were given the choice between pre-censorship and "the liberty of appearing at their own risk and peril," but the preventive censorship remained in the provinces.[85] The assassination of Alexander II brought fresh alarms, and secret ordinances were sent to the press stating what must not be printed in regard to the assassination. The newspapers could print only the carefully prepared accounts given in the official gazette both of this and of the disorders among the university students. "The sole alternative of silence was to praise all Government measures without distinction." [86] Ordinances were frequently issued directing the press to "speak with the greatest circumspection concerning various designated acts of the Government."

Stepniak found that in the struggle between the press and the Government the provincial press was the first to suffer, and it was often "worried out of existence by administrative ordinances, each more impossible and absurd than the other." The purely political papers were ordered strictly to avoid domestic subjects, and journals founded expressly to defend Jewish interests and promote a fusion of the two races were forbidden to make any allusion to the Jewish question.[87]

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[84] New York *Evening Post*, March 24, 1905.

The use of similar words was forbidden in Turkey, but "the censors were men of ignorance [who] could not realize that forbidden ideas might be expressed with great advantage in harmless-sounding words or through indirect allusion."—Ahmed Emin, *The Development of Modern Turkey as measured by its Press*, p. 65.

[85] A. Rambaud, *History of Russia*, III, 233; A. Leroy-Beaulieu, *The Empire of the Tsars*, II, 441. A full discussion of Russian censorship is given by M. Leroy-Beaulieu, II, 426–479.

[86] Stepniak, *Russia under the Tzars*, II, 200–207.

If these suggestions in regard to pre-censorship of the press in Russia seem to belong to a form of government that no longer exists, and if the laws securing such censorship are no longer in force, it must be remembered that the long prevailing attitude of authority must be understood in order to understand the fruits of its policy to-day. Kovalevsky has shown how impossible it was in Russia through any form of censorship to prevent the spread of liberal ideas.[88] But in spite of this, the situation was not materially changed either by the war or by the change in form of government.

Four months before the war opened, a press correspondent at Cracow wrote that journalists arriving from the north reported that the censorship in St. Petersburg was growing stricter every year and that under the Espionage Law of July, 1912, it was practically impossible to publish or to send out of Russia any news whatever on military or naval affairs,—a significant change from conditions described in 1905.[89] The Council of Ministers early in 1914 approved a list of news items forbidden the press and these included news concerning projected changes in the equipment of the army and navy; the formation of a new army order; changes in the effectives of the army; arming of warships; the quantity of ammunition and other emergency stores for war; the state of preparedness; the strength of fortresses and naval ports; the work going on at such points; plans for new fortresses; extension or dismantling of existing fortresses; manoeuvres of troops; gunnery practice by the fleet; progress or results of the test; mobilization of army or navy; the progress of manoeuvres or the test mobilization in frontier districts; the non-granting of leaves of absence to officers; the calling out of reservists; the non-transfer to the reserves of troops who had served their time; the movement of troops towards the frontier; the chartering or concentration of merchant vessels in naval ports.[90]

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[87] Stepniak, *Russia Under the Tzars*, II, 209–210.

[88] M. Kovalevsky, *Russian Political Institutions*, pp. 254–259.

[89] M. E. Stone, "The Removal of the Russian Censorship on Foreign News," *The Century*, May, 1905, 70: 143–151.

After the war began the press of other countries commented on the prompt and full acknowledgment by the Russian press of reverses and defeats as was not the case elsewhere.[91] Possible explanations were found in the desire to win a reputation for always telling the truth about Russia's part in the war; in the willingness to ignore public sentiment, since Russia was in effect a land without a press and all news had but the smallest circulation there; and in the fact that the Russian Government had much less to fear than had other governments from popular criticism and resentment.[92] The opinion has usually prevailed that the small number of readers of the Russian press has been due in large measure to the oppressiveness of the Russian censor.

With the coming of the Revolution in Russia, as once before in France, all things were to be made new,—all political censorship was abolished,[93] as well as the department of government that regulated affairs of the press.[94] But all too quickly the Petrograd *Ryech* "by no means a reactionary organ," complained that the Revolution had but thrown the Russian press "out of the frying pan into the fire;" that the new censor who was responsible to the Soviet refused to allow the expression of any opinion of a moderate or reactionary nature, and tolerated only the extreme radical point of view. "The great Revolution came," says the *Ryech*, "but, alas! it has not brought us freedom of the press. . . . How can we begin a new life if we resume the old methods of the brutal repression of free thought?"[95] News from Russia soon languished and apparently the censorship had shut down on all news from that country.[96]

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[90] Correspondent of the New York *Tribune*, at Cracow, under date of April 7, 1914, in New York *Tribune*, April 19, 1914.

[91] This conclusion in the New York *Times*, February 25, 1915, was apropos of a defeat of the Russians in East Prussia. But curiously enough the news of the defeat as reported in the New York *Evening Post*, February 13, February 20, 1915, was blacked out in the copies received in Russia. Facsimiles are given in the *Evening Post*, April 15, 1915.

[92] New York *Times*, February 25, 1915.

[93] New York *Tribune*, March 19, 1917.

[94] New York *Evening Post*, March 19, 1917.

[95] *Literary Digest*, November 3, 1917.

Mr. A. Gumberg has kindly given me the forms to be used for the translation of the names of Russian newspapers, and grateful acknowledgement is made to him for this service.

But quickly again the veil seemed partially lifted,— sufficiently so to indicate that it was evidently the press of the opposition that had been completely silenced; that the press of Petrograd had been wholly throttled and that of Moscow and the provinces to only a less degree. "The censorship is back again," said the *Ryech.* "Already some of the most important journals of the provinces have been suppressed; the newspapers of the capitals will soon follow suit, and the dictatorship of the Soviets will be complete." The Petrograd *Novoye Vremya,* "one of Russia's conservative dailies," said: "The 'army committees' allow only the sale in the army of the newspapers of the extreme Left parties and have forbidden the circulation of even such reputable organs as the *Ryech, Russkoye Slovo,* and the *Novoye Vremya.* For months only such papers as have been championing the cause of the Leninists were permitted to reach the soldiers. . . . [Freedom] equally has been denied to the press of the *bourgeoisie,* and it is being held up, destroyed, or sent out in mischievous routes. We know the Lenine press can not compete with the real newspapers of the country, so they have chosen a more direct way of destroying them."

The leading liberal newspaper of Moscow, the *Russkoye Slovo,* said: "The freedom of speech and of the press is guaranteed only for the very extreme 'Left,' and the remainder of the press is exposed to the rigor of a 'military' censorship. We are citing below a list of seventeen daily papers of important provincial towns, practically all of them organs with republican tendencies, which were suppressed by an arbitrary censorship."[97]

It seemed to one press correspondent that "the disappearance of the most prosperous and best written Russian newspapers [was] one of the losses of the Revolution. The 'bourgeois' Press has practically ceased to exist."[98] The Petrograd *Dien* reported that sixteen newspapers of international reputation, both conservative and progressive, were no longer issued.[99] The *Dien* gave as explanations the impossibility of carrying on any capitalistic enterprise, the cessation of advertising, the difficulties of distribution, the suppression by the new authorities, the suppression by mobs and disorderly troops, and the censorship exercised by the printers who struck work when asked to set type for any article in which they scented treason to the Revolution. The *Dien* found that papers printed in the Ukraine "for export" were veiledly Germanophile; that the Zemstvo periodicals that gave the peasantry "enormous service on agriculture and hygiene had disappeared;" that "owing to the continual suppression, changes of names, voluntary cessations, and new foundations, the confusion in the press [was] beyond description;" that "the newspapers [had] almost ceased the open discussion of political questions of principle; and one gets the false impression that neither the ultimate fate of Russia nor its international relations interests anybody."[100]

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[96] New York *Tribune,* December 20, 1917.

[97] *Literary Digest,* January 19, 1918.

[98] R. C. Long, "Russia's Curbed Press under the Bolsheviks," *Evening Post,* January 18, 1918.

The war played havoc with the press in neutral countries as well as with that of the chief participants and it also suffered from repressive censorship. In Switzerland, there were complaints that the foreign press correspondents suffered from local censorship; that dispatches were often mutilated without refunding the telegraph tolls paid in advance; that the tolls were not remitted because it was the policy of the military department not to inform journalists whether their press correspondence was passed or not.[101] Yet there were occasional oases in the desert, as in the case of the *Freie Zeitung*, a bi-weekly published at Berne by exiles from Germany. These refugees were Germans of character and of independent thought who disapproved and abhorred "the mediaeval feudalism and imperalistic 'realpolitik' of the powers that be at Berlin." Of the *Freie Zeitung* itself it was said that "it does more to muss up and checkmate the vicious propaganda of the imperial junkerdom than any periodical in Europe west of the Russian frontier."[102] And apparently the censor looked the other way.

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[99] It seems probable that these were the same papers enumerated by the *Russkoye Slovo*, but the names are not given.

[100] These statements are cited from the article by R. C. Long, New York *Evening Post*, January 18, 1918.

[101] Statements of Deputy Buehler, editor of the *Berner Bund*.—New York *Evening Post*, October 5, 1917; New York *Times*, October 6, 1917.

Spain had already had recent experiences with the censor. During its trouble with the Morocco tribesmen there had been a rigorous censorship of all news concerning it, communication by telephone to the provincial papers was stopped, and nothing except official dispatches was allowed to be printed. The government considered these measures justified "on the ground of military necessity" and because of the "anti-patriotic campaign being conducted by the Liberal and Republican press,"[103]—a policy that verged dangerously near a positive effort to regulate the course of the Spanish press. Some months after the outbreak of the war, the Spanish Government called a meeting of newspaper editors and asked them to maintain absolute silence regarding military and naval measures. The establishment of a censorship was offered as an alternative for failure to comply with the request. An appeal to the press had already been made to refrain from all discussion of the war as it was feared that otherwise controversies might arise which would interfere with the maintenance of neutrality,—an act of renunciation indeed on the part of the press to whom news was the very breath of life.[104] When the railway strike occurred, the Government established a military censorship over all press dispatches.[105] A year and a half after the war began, the Spanish Minister of the Interior sent a formal notice to the Madrid journalists: "I recommend formally that the press abstain from every sort of campaign against such or such belligerent. I want all one-sided news submitted to me, so as to prevent the publication of news not confirmed by official information. This measure is dictated by the interests of the nation, which will have recourse to the previous censorship. The propagators of false news will be severely punished."[106] Six months later the Spanish Premier announced that the Government had been obliged to re-establish the censorship, due to impassioned comments by the Germanophile press on the subject of an interned disabled German submarine.[107] It is not to be wondered at that even the breadth of the Atlantic and censored cables could not conceal these troubles from the New World.[108]

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[102] A full account is given in the New York *Tribune*, April 2, 1918.

[103] New York *Evening Post*, July 23, 1909.

[104] Havas dispatch from Madrid to Paris, New York *Evening Post*, June 9, 1915.

[105] New York *Evening Post*, July 16, 1916.

[106] Madrid correspondent of the *Temps*, New York *Times*, February 13, 1917.

In harmony with the early laws requiring license as they were developed in Western and Central Europe are the recent national regulations of the press in China. These called forth a vigorous protest "from the oldest newspaper in the world" and a meeting of the Peking Press Association was called to take action in regard to them. The Peking press in particular was a sufferer from the new elaborate press laws that included pre-censorship—a copy of every issue must be sent to the police on the day of publication —and the deposit of security. This was nominally the equivalent of $350 for dailies, but for Peking and all other capital cities or commercial ports this amount was doubled. In effect, since not a single daily was published except in one of these cities, the deposit required was always $700.[109]

Pre-censorship was equally rigid in Japan. All dispatches leaving the Empire were censored from the very beginning of the war. The Honolulu *Star-Bulletin* published a notice that queries addressed to its Tokyo correspondent were unanswered; that some Japanese papers published in Honolulu were told that no news relating to the Hawaiian Islands was permitted to leave Tokyo; that others were told that nothing concerning the relations between Japan and the United States might be dispatched; and still others that they would be allowed nothing whatever from Tokyo.[110]

And if Americans, pondering on the conditions to which precensorship of the press has led in other countries, are prone to be self-righteous, it may be sufficient to recall two periods of experiences with licensing in this country. Richard Pierce printed

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[107] New York *Evening Post*, August 4, 1917.

[108] "Spain's Difficulties," editorial, New York *Evening Post*, June 19, 1917.

[109] Special Correspondence from Peking, dated April 3, 1914.—New York *Evening Post*, May 13, 1914.

[110] New York *Tribune*, August 22, 1914.

F. L. Martin publishes two lengthy letters on the censorship in Japan and includes in them the press laws on Japan.—*Christian Science Monitor*, November 1, November 5, 1918.

Publick Occurances in Boston, September 25, 1690, for Benjamin Harris. The legislative authorities at once noticed its appearance, and four days later they announced that it was contrary to law and contained "reflections of a very high nature." They positively forbade "anything in print without license first obtained from those appointed by the government to grant the same." [111] A few years later, under the running title of the *Boston News-Letter* was the phrase "Published by Authority."[112] And at about the same time James Franklin was forbidden by the General Court to "print or publish the New England *Courant*, or any other such pamphlet or paper of a like nature, except it be first supervised by the Secretary of the Province." [113]

There were indeed in the American Colonies widely divergent theories in regard to the censorship held by the colonial government in Massachusetts and by the newspapers themselves, and this difference led to constant difficulties between them.[114] James Franklin was always a storm center after, in 1721, he became editor and publisher of the New England *Courant*, and its columns were filled with discussions of the religious questions of the day and with attacks on public officers and the clergy,—discussions that provoked resentment in both camps. Increase Mather, claimed by the *Courant* as one of its contributors, was specially choleric over the situation and he wrote, "I can well remember when the Civil Government would have taken an effectual course to suppress such a *cursed libel*." The General Court did take notice of James Franklin, and authority, in its person, and the press, in the person of Franklin, long played a game of hide-and-seek, assisted by council orders and sympathetic juries.[115]

During the recent war and after its close the position of many Americans in regard to the press is well illustrated by a letter to A. Mitchell Palmer from E. B. Kearns protesting against the Graham Sedition Bill. "I am just as much afraid," he writes, "of the Bolsheviki 'higher up' (men in power in our public offices) as I am of the dissatisfied group whom we term Bolsheviki." [116] In their attitude toward the press the American Friends and the British Friends were at one. The British Defense of the Realm Act apparently forbade the distribution of tracts and leaflets without the consent of the censor. This met with protest on the part of the Friends who declared that "the recent regulation requiring the submission to the Censor of all leaflets dealing with the War and the making of Peace is a grave danger to the national welfare," and that it was "with a sense of the gravity of the decision, that the Society of Friends must on this occasion act contrary to the regulation and continue to issue literature on war and peace, without submitting it to the Censor. It is convinced that in thus standing for spiritual liberty it is acting in the best interests of the nation." [117] Many organizations of Friends had protested against this pre-censorship, although there was a difference of opinion among them as to whether the protest was wise or not.[118] Acting in accordance with this decision, the Service Committee of the Friends issued a pamphlet, *The Absolutists' Position—a Challenge to Militarism*, and the Committee felt it could not submit it to the censor. The publication was, therefore, illegal and a publisher could not be found in England, but a Glasgow printer undertook to fill the order for 80,000 copies and 10,000 were soon ready and distributed outside of a Labour Conference, February 26, 1918. The result was that three members of the Society of Friends were tried for the violation of D. O. R. A.; two men were imprisoned and one woman was fined.[119] Regulations for a preventive censorship have more than once led those who could not conscientiously accept them to state their objections to them, their decision not to conform to them, and, therefore, to accept the punishment that followed.

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[111] J. B. Felt, *Annals of Salem*, II, 14.—The best and fullest account noted of Benjamin Harris, "the first American journalist," is given by J. G. Muddiman in *The King's Journalist*, Chaps. XI–XII.

[112] J. B. Felt, *supra*.

[113] J. B. McMaster, *Benjamin Franklin*, p. 29.

[114] C. A. Duniway, *The Development of Freedom of the Press in Massachusetts*, *passim*.

[115] W. L. Stone, "Early History of Printing and the Newspaper Press in Boston and New York," *Continental Monthly*, September, 1863, 4 : 256–268.

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[116] *The Friends' Intelligencer*, February 21, 1920.

[117] *The Friend*, December 14, 1917; A. C. Thomas, *A History of the Friends in America*, pp. 247–248.

[118] Both sides were represented in letters to *The Friend*, January 4, 11, 18, 25, 1918.

[119] H. W. H., New York *Evening Post*, June 24, 1918; *The Friend*, June 28, 1918.

Both in America and in England the opposition of the Society of Friends to all forms of pre-censorship and of license was most pronounced and their fearlessness gave courage in both countries to other opponents of such measures. In America and in England, however, the relation of the press to authority has not so much centered around the question of pre-censorship as it has about other conflicts between these two forces, and these must be elsewhere considered.

How effective all pre-censorship of the press may be is evident in the various devices used in enforcing it. These devices are in a strict sense not pre-censorship of the press itself but a preventive censorship directed against would-be readers of the news and opinions censored. The result, however, is the same. In Russia it has been the inked roller that has blotted out the offending articles.[120] In France blank spaces, blank columns, and even blank pages have been the trail of the censor. Elsewhere the use of scissors against offending articles has made the press "look like Mexican drawn work."

The illustration also suffers at the hands of the censor and gives subsequent report of itself. He adds to photographs the injunction "block out" and indicates on them the features he considers objectionable. The illustration thus changed is then released for publication,—later to be reproduced in its original form showing the changes required to comply with censorship requirements.

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[120] Papers in other countries whose articles have been censored before being allowed to circulate in Russia frequently reproduce the original and the censored articles.—G. Kennan, "Blacked out," *Century*, May, 1890, n. s., 18 : 65–72.—The proof sheets of the *Siberian Gazette*, May 9, 1881, showed that more than half of the reading matter had been struck out by the censor. The editor therefore published the paper showing the blank spaces, but the whole edition was confiscated by the police. The next number explained the situation and published the telegram received from the Director of Press Affairs, saying, "blank spaces in the pages of newspapers are an implied protest against preliminary censorship, and can not be permitted."

A facsimile is given of a page of the *Outlook* with a blacked out review by G. Kennan of H. Norman's *All the Russias*.—*Outlook*, February 7, 1903, 73 : 351.

"The Russian Press Censorship," *Outlook*, February 27, 1904, 76 : 481–483; New York *Evening Post*, April 15, 1915; "Vagaries of the Russian Censorship," *Outlook*, November 24, 1915, 111: 692, 713.

The naval censor has sometimes subsequently taken the public into his confidence and shown how photographs containing matter considered dangerous had to be manipulated. "I would receive proofs and examine them," he writes, "marking in some ships on the horizon to be omitted, and in others sighting hoods, paravanes, range-finder towers, fire-control stations, and other distinctive features to be taken out of them" and he adds that the staff "showed great ingenuity in faking these pictures." [121] Differences of opinion among censors of illustrations as well as of news must always arise, and during the recent war American censors stopped many pictures intended for simultaneous publication in both countries, even after they had been passed by the British censor. The latter bluntly illustrates "how easy it is to get off the rails in matters of censorship." [122]

All of this manipulation of text and of illustration, as of every form of pre-censorship, brings confusion into the task of the historian. Occasionally he may be able subsequently to check up the parts destroyed or "manipulated," but he can only regard this as an unnecessary expenditure of time and effort.

It is thus evident that censorship of the press in its first and most extreme form is a preventive censorship that implies a system of licensing,—everything printed must first be read and approved by officials appointed for the purpose. Its exercise gives opportunity for grave abuses, it is impossible to enforce any system of licensing that is satisfactory, protests against it have not been checked even by censorship itself, and it has usually failed to accomplish its purpose of preventing or suppressing adverse criticism.

Preventive censorship may always be accompanied by a punitive censorship that works through fines and imprisonment where members of the press have exceeded the privileges of the license. A corrective censorship is sometimes found, even when a system of licensing does not prevail. Thus an invisible but definite line divides a system of censorship and licensing from the system of press restrictions in the form of stamp duties, advertisement duties, paper duties, affidavits and recognizances, under which authors, pamphleteers, and newspaper editors and printers are prosecuted, and fined or imprisoned after conviction of violation of these restrictive laws.

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[121] D. Brownrigg, *Indiscretions of the Naval Censor*, pp. 30, 287–299.
[122] *Ib.*, p. 153.

As inevitably as night follows day, the introduction of one form of censorship leads to others still more oppressive.

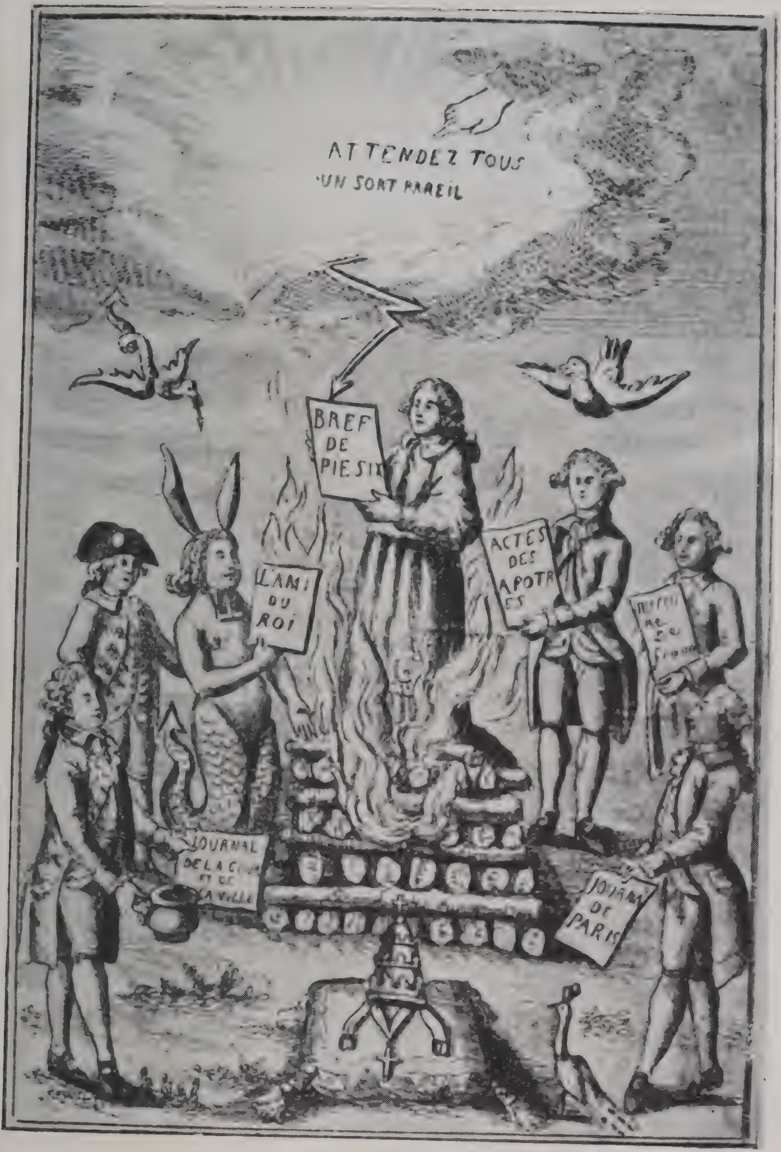
CHAPTER IV

PUNITIVE CENSORSHIP

"The journalist began by stirring up against himself Parliament's persistent jealousy and scornful hate. He criticised or even observed its proceedings almost with a rope round his neck. He knew the ascent to the pillory as well as he did his own doorstep. In the near distance stood the common hangman, in one hand holding the whip which was to flog him at the cart-tail round the town, in the other displaying the shears that were to crop his ears before the day's programme was finished. A restless, unconscionable, irrepressible kind of being, he was, in the natural order of providence, suffered to spit his lies, libels, venom of all sorts abroad, and generally to infest the earth just as a like tolerance was granted to beasts, to birds of prey, and to other noisome creatures. Before the eighteenth century was out, the mightiest and most philosophical intellect in the Parliament of his day, Edmund Burke, had found out that this generally distrusted, detested, but inextinguishable person had laid the foundation of a Fourth Estate."—*T. H. S. Escott.*

It has been inevitable that the press should refuse to accept a preventive censorship. It has been equally inevitable that authority should be fertile in its resources for punishing all of the offending representatives who have defied authority and published articles on subjects forbidden. Preventive censorship is in a sense abstract, and negative,—papers must not be published without a license; articles must not be published on forbidden subjects, or if published they are deleted, inked, or scissored.

But punitive censorship administers definite, concrete, personal punishment on the editors and publishers of the offending papers; contributors are also subject to punishment; printers, distributors, and even the harborers of papers under condemnation are in danger of warnings and prosecutions. Personal discipline is inflicted through fines, forfeiture of caution money, imprisonment, banishment, internment, and refusal to establish other papers,—with the result that from the time of Defoe newspapers have been edited in prison and by editors


ATTENDEZ TOUS
UN SORT PAREIL
BREF DE PIE SIX
L'AMI DU ROI
ACTES DES APOTRES
JOURNAL DE LA C ET DE LA VILLE
JOURNAL DE PARIS

"Cartoon Showing the Papal Bull, Together with All the Different Journals Which Favored the Aristocratic Party, Being Consigned to the Flames"

(Courtesy of E. F. Henderson, from *Symbol and Satire of the French Revolution*)

under indictment by the courts.[1] The newspapers themselves are punished by suspension, suppression, or confiscation, and their sale forbidden at hotels and newsstands, fines are levied against the property, and printing presses are broken; for the first time, a newspaper was recently tried by court martial and sentenced to pay a fine.[2] It is scarcely two hundred years since offending newspapers were publicly burned in New York City by the common hangman,—acts comparable with the mediaeval hanging of animals and of weeds.

Every country has had its periods of punitive censorship that in the end has but exasperated its press the more against the authority inflicting it. In France a decree of the National Convention in 1793 affixed the death penalty to all who by their writings were convicted of instigating the dissolution of the representative assembly and of working for the restoration of the monarchy,[3] and under it at least two journalists were executed.[4] Under the Directory forty-five publishers and editors of journals

[1] Besides Defoe, editors who edited their journals within prison walls may be mentioned John and Leigh Hunt who thus edited the *Examiner*, and Richard Carlile who edited the *Republican* in Dorchester jail; Henry Hetherington sent out *The Poor Man's Guardian* from jail; Thomas Wooler set up *The Black Dwarf* without manuscript in jail; William Cobbett carried on his *Political Register* in Newgate.

William O'Brien edited *United Ireland* in prison and says that his paper was pursued "from city to city of Ireland and of Great Britain in at least ten of which it was published in turn." He gives within black borders "a black list of the casualties among its staff, which is probably unique in the history of the press of these countries." Fourteen names were included in the list and this was published weekly in the place of the leading article.—W. T. Stead wrote during his imprisonment: "I spend my time in working. I have written all the leaders but one since I came here and several of the reviews. I have written an article on 'Government by Journalism.'"—Estelle W. Stead, *My Father*, pp. 141–142.

[2] *The Freeman's Journal* was tried in Dublin, November–December, 1920.—New York *Tribune*, January 9, 1921.

[3] The decree is given in F. M. Anderson, *Constitutions and Documents Illustrative of the History of France*, p. 158.—Authority here was personified in the republican National Convention and the decree was used against the royalist press.

M. Tourneux gives the names of sixty-seven journals whose owners, editors, or publishers were condemned to deportation; he gives many illustrations of the confiscation of presses and other property of journals in Paris, the provinces, and Belgium; and texts of decrees are given.—M. Tourneux, "Le Régime de la presse de 1789 à l'an VIII," *La Révolution Française*, September, 1893, 25 : 193–213.

[4] A. de la Forge, "La Liberté de la presse pendant la révolution française," *La Révolution Française*, 1881, 1 : 41–52.

were exiled, forty-two journals were suspended, and later, the Directory broke the presses of eleven journals hostile to Sieyès and arrested the editors and publishers. "C'est une révocation de l'Édit de Nantes dirigée contre les publicists," is the comment of M. Tourneux. When the Directory gave place to Napoleon—nominally to the Consulate—the press found in him an inexorable master and for fourteen years punitive censorship became one of the necessary weapons of the new régime.[5] He quickly discovered, and the Consuls of the Republic as quickly proclaimed, that a part of the newspapers of the Department of the Seine were "instruments in the hands of the enemies of the Republic" and therefore, by a decree of January 17, 1800, the minister of police was instructed to reduce the number of newspapers in Paris to thirteen; the minister of the general police was ordered to make a survey of all the newspapers printed in other departments; and to see that no new newspapers were printed in any department of the Republic.[6] Even petty persecution of the press was resorted to and the *Citoyen français* was compelled to change its name to the *Courrier français* because the word "citoyen" was too reminiscent of the Revolution and for a similar reason the *Débats* became the *Journal de l'Empire*.[7] Thus was officially introduced a policy of suppression of newspapers and of imprisonment of editors that the censorship called in one instance "une petite correction."

Nor did it suffice to repress in France alone the expression of thought and opinion through the press,—foreign journals came under the ban since Napoleon wished to control the European press. The *Gazette de Leyde*[8] was seized at the frontier and its circulation forbidden on French soil; the *Spectateur du Nord*, published in Hamburg, was proscribed; the minister of police was urged to intercept English newspapers probably sent into France in the guise of letters; he prosecuted in the English courts M. Peltier, the editor of *L'Ambigu*, a satiric paper published in London directed against himself,—and the editor had to pay the costs of the prosecution, although the journal continued until 1818.[9] The *Argus*, in the duchy of Aremberg, did not sufficiently conform to the imperial politics and was warned by Fouché, but his warning had no effect and in consequence Fouché himself was warned by the emperor that he had not been severe enough,—"the paper must be better managed or it will be suppressed."[10] Nevertheless he was concerned to know the opinions of the foreign press, especially of the German and the English press and Bourrienne records Napoleon as saying to him, while reading the French newspapers, "Passez, passez. Je sais ce qu 'il y a. Ils ne disent que ce que je veux."[11]

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[5] H. Welschinger, *La Censure sous le premier Empire*, pp. 10–11.

[6] The text of the decree is given in F. M. Anderson, *Constitutions and Documents Illustrative of the History of France*, pp. 282–283; H. Welschinger, *op. cit.*, p. 82, says that Fouché instigated the decree and he gives an important account of this suppression of the sixty out of the seventy-three newspapers in the Department of the Seine. The chapter is based largely on documents in the *Archives nationales;* A. Périvier, *Napoléon Journaliste*, says that Lucien Bonaparte also shared the responsibility (p. 98), but as Fouché was minister of police and a contemporary said of Lucien that "il joint à quelque esprit une très mauvaise tête," the honor seems to go to Fouché.—M. Périvier in his chapter on "La presse étranglée ou muselée ou domestiquée," pp. 95–113, gives additional details of the working of the decree and the trivial pretexts on which various papers were suppressed.

[7] H. Welschinger, *La Censure sous le premier Empire*, pp. 88, 93.

The relation of the press to authority after the Restoration was chiefly that of a pre-censorship, and the Constitution of 1830 declared that the censorship could never be re-established. Nevertheless, a punitive censorship was quickly in operation. By 1833 the July monarchy had prosecuted four hundred and eleven newspapers, one hundred and forty-three had been condemned, sixty-five years in prison had been collectively meted out to journalists, and three hundred and fifty thousand francs had been collected in fines; a single paper *La Tribune*, during four years, was prosecuted one hundred and eleven times, condemned twenty times, and the punishments inflicted included, collectively, forty-nine years in prison and nearly one hundred and fifty-eight thousand francs in fines. These punitive measures were taken specially against the republican press that had contributed to the insecurity of the new monarchy.[12]

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[8] The designation used by M. Hatin for the *Nouvelles extraordinaires de divers endroits* whose long and checkered but honorable career he narrates in his *Bibliographie de la presse périodique française*, pp. 85–86.

[9] H. Welschinger, *op. cit.*, p. 86.

A long controversy was carried on between the Republic and Peltier who directed against it his royalist *Les Actes des Apôtres*,—Brissot de Warville said he had done more harm to the Revolution than had the armies of the Coalition. Later, Napoleon took up the controversy and turned it against *L'Ambigu*.—Accounts are given in E. Hatin, *Bibliographie*, pp. 94–96, 313–314; and in *Histoire de la presse en France*, VII, 7–77.—A. Périvier, *Napoléon Journaliste*, treats the whole subject under the caption "Le Lion et le Moucheron. Peltier contre Bonaparte," pp. 200–225.—The dispute is interesting as showing the position of a journalist in opposition to the two extremes of authority,—the National Assembly and Napoleon.

[10] H. Welschinger, *op. cit.*, p. 106.

[11] *Mémoires de M. de Bourrienne sur Napoléon*, III, 210.

The extent, variety, and severity of the punishments meted out to offending journalists is indicated in the title M. Germain has given to his work—*Martyrologe de la presse.* Covering the period from 1789 to 1861, it lists the judgments secured against French newspapers from 1814 to 1849,—imprisonments running from fifteen days to five years, fines ranging from fifty to ten thousand francs, and in addition the costs of prosecution,—lists necessarily incomplete since, while the law required the insertion in the *Moniteur* of all convictions secured against the press, it was not strictly enforced. Warnings, suspensions, and suppressions apparently made up the history of the French press from 1848 to 1862.[13] Even the Society of the Friends of Liberty of the Press, whose membership included the most influential members of the liberal party, was prosecuted in the persons of two of its members—one a deputy and one a colonel in the army—each of whom was fined two thousand francs, and the society itself was dissolved.[14] The effect on the press itself, it is needless to say, was pitiable. "It is necessary to keep quiet," wrote one harassed editor, "but to have the appearance of saying something. There is perfect freedom to announce the presentations at court, river floods, the rise and fall of exchange . . . but it is all fraud and deceit." [15] And the editor might have added that even on the exchange transactions in sugar and coffee were censored.

The foolishness of the censors and their nagging policy is shown in the suppression of entire articles and the return of the rest of the paper at 11:00 P. M.,—the blank spaces must be filled, but the editors had gone home If the paper did not appear, the subscribers complained; if it appeared without the visé of the censor, it was suspended or suppressed. The entire work of M. Germain should be read to understand the pretexts on which punishment was inflicted, the disparity between even the alleged offense and the penalties imposed, the hardships suffered, and the upright character and influential standing of the men who were sufferers thereby.

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[12] E. Hatin, *Manuel de la Liberté de la Presse*, I, 235–261.
[13] A. Germain, *Martyrologe de la presse*, pp. 269–281.
[14] *Ib.*, pp. 62–63.
[15] *Ib.*, p. 97.

With the proclamation of the Second Republic it was again declared that "the press cannot in any case be subjected to the censorship," and an evidence of a belief in the good faith of the declaration is found in the establishment during 1848 of practically five hundred new journals. But the belief was once more to receive a rude shock in the speedy proclamation of another censorship, but not to be vanquished entirely since new journals continued to appear in scarcely diminishing numbers during the nearly five years of the existence of the Republic.[16]

The difficulties under which the French press suffered from 1852 to 1867 are again indicated in the extended, chronological lists of warnings, suspensions, and suppressions given by M. Edouard Laferrière in his *La Censure et le régime correctionnel.* During this period, action was taken against no fewer than one hundred and twenty journals, involving three hundred and thirty-eight warnings, twenty-seven suspensions, and twelve suppressions. These lists include only the administrative measures taken by ministers and prefects,—they make no mention of condemnations by the courts of justice or of the innumerable seizures of foreign sheets. Of the total number the *Moniteur* had noted scarcely one-third and readers of that official journal would conclude that the censorship of the press was much less active than it really was. Only independent newspapers suffered,—those attached in any way to the minister of the interior or to a prefecture were not interfered with. It is also significant that the censorship was not distributed equally by years during this period but that its greatest rigor was felt during the years when elections took place. The atmosphere created by a régime of interference and of punishment, involving often severe financial loss, did not encourage the establishment of new journals independent in their views, and the punitive censorship of the press during these years effectually checked all progress that presumably might have otherwise been made either by or through the press.[17]

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[16] E. Hatin, *Bibliographie de la presse périodique française*, pp. 436–525. The names of the journals of the period are especially significant of the local influences that gave rise to them, as also of the external influences directing them,—a considerable number grew out of the discovery of gold in California.

An interesting account is given by E. G. Swem of "French Newspapers of 1848–50 in the Virginia State Library," *Bulletin of the Virginia State Library*, October, 1916, 9 : 289–346.—The collection numbers nearly six hundred titles, including placards, and also clearly shows in the names the influence of the times.

Similar suggestions are found in J. Lemonnyer, *Les Journaux de Paris pendant la Commune.*

The names given these journals, many of them ephemeral, often indicate the reasons that have led to their suppression.

Has the press a right to comment on the institutions by which we are governed, to discuss the problems of modern society, to pave the way, by criticism, for progress in legislation and for the amelioration of deplorable conditions?

To these natural questions of the progressive element in the French press, authority gave an emphatic negative and it speedily administered punishment to all journals that wandered from the prescribed beaten track. These punishments were for such domestic offenses as the discussion of changes in the Constitution; criticism of existing political institutions, acts of the government, or of the legislative body; discrediting the wisdom of the government; arousing hatred or contempt of the government, or inciting hatred of the civil officers; discussion of press laws, or the publication of false news.[18] The foreign policy of the Empire was an equally dangerous field for the press to enter. Here there must be no criticism of the imperial programme or of the foreign policy of the Emperor; the temporal power of the Pope must not be questioned; advice must not be given to Italy; the trouble between Austria and Prussia must be ignored; the

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[17] The statistics of administrative corrections are given on pp. 9–15, and Appendix, pp. 299–318; the comparative number given by the *Moniteur*, pp. 10–11, Note; a graph showing the influence of elections, p. 17, and a discussion of the relation between punitive censorship and the various ministers of the interior, pp. 15–22; the special activity of the censor at the time of the elections of 1852, 1857, and 1863 is fully treated, and the punishments inflicted on various newspapers, pp. 123–148. E. Laferrière, *La Censure.*

[18] E. Laferrière, *La Censure et le régime correctionnel*, pp. 45–72.

Polish question and the Mexican situation were alike taboo.[19] It is not strange that an English editor found, though at an even earlier period, that French editors were writing editorials on The Giraffe—A Lost Dog—A Dancing Monkey—Sturgeon Fishing.[20]

It is possible that Napoleon III in his relations with the press may have been influenced by the policy of his great uncle who has been quoted as saying that balls and the opera furnished excellent subjects for editorials, but that he could not have the gazettes "meddling with politics." [21]

Extremists like M. Veuillot suffered from attacks from every quarter. A visit to Rome during Holy Week when he was only twenty-five had transformed him into an ardent champion of the Roman Catholic Church and hence into an equally ardent opponent of the moderate Roman Catholics and later of Napoleon III. During his connection with *L'Univers*, innumerable lawsuits, warnings, interdicts, and imprisonment were his personal portion at the hands of the State; *L'Univers* was more than once suspended for its attacks on the University of Paris, on the Second Empire, and on the Italian Government, and for its extravagant propaganda in support of the Ultramontane party, while prelates, like Bishop Dupanloup of Orleans, suppressed it in their dioceses.

Prior to August 1, 1914, it was a belief widely held that a punitive censorship of the press had ceased to exist in Western Europe and in America and that in every other part of the world it was on the wane. But with the outbreak of the war, punitive censorship flared up anew and all over the world, wherever a periodical press existed, its ravages were felt,—and the end is not yet, in spite of nominal peace. Exhaustive reports have been given through the periodical press and through numerous volumes of the punitive censorship in operation during the war in

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[19] E. Laferrière, *La Censure et le régime correctionnel*, pp. 73–105.
M. Laferrière gives in detail the history of forty-two prosecutions in the courts for offenses charged against the government, or foreign sovereigns. Convictions were secured in forty-one of the forty-two. In some cases books or brochures rather than newspapers were the offenders. Prosecution was practically synonymous with conviction. Pp. 229–260.

[20] A. Germain, *Martyrologe de la presse*, p. 97, Note.

[21] "Silencing the Press," *The Nation*, January 1, 1903, 76 : 4–5.

England, France, Italy, Germany, Austria and Russia, as well as in America,—every report invariably accompanied by protests against it. But similar reports and similar protests have come from or about the press of practically every known country. Bohemia, Canada, China, Cuba, Greece, Holland, Japan, Mexico, Porto Rico, Servia, Spain, Switzerland, Syria, Turkey all have made their contributions to the subject.

Frequent suppressions of the editions of Japanese newspapers were explained by the blanket charge that "they contained articles inimical to the public welfare."[22] Prior to 1917, when a periodical was suppressed no explanation was given except that it was regarded "as prejudicial to the peace of society or to public morality."[23] But the war added the general reasons for suspension such as "endangering foreign relations," "disturbance of social order," and "deleterious effect on public morals."[24] As late as September, 1919, a despatch from Tokyo declared that editions of thirty papers had been suppressed because of attacks on the government over the high cost of rice,[25] while the former publisher of a Japanese magazine was arrested in California as a communist agitator.[26] In China, the *Peking Gazette*, which had published a number of anti-Japanese articles and denounced Japan's policy towards China, was suspended by the authorities after a protest had been made by the Japanese legation.[27]

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[22] New York *Times*, July 24, 1916.

[23] Cited from *East and West News* by the New York *Evening Post*, July 3, 1917.

[24] K. Kawabé, *The Press and Politics in Japan*, p. 120.

A table shows the enormous increase in the number of papers suppressed, warned, and otherwise dealt with by authority during 1914.—Cited from the *Japan Year Book*, 1917, p. 316.

Probably the most important source of information concerning the press in Japan is the *Japan Chronicle*, for many years edited by Robert Young. An appreciative notice of his work is given in *The Nation*, January 17, 1923, 116: 57. The examination of a large number of his articles dealing with the press as well as of other material concerning the press in the Far East, has been made possible through the kindness of Mrs. R. Stunzi-Meigs. The editorials and news articles of Mr. Young all indicate his fearless protest against embargoes on news, persecutions, secret trials, fines, and imprisonments of editors and publishers, and the suppression or seizure of newspapers; his unqualified condemnation of the sensational press in whatever country found; his passionate advocacy of a free press; and his high standards and ideals for the press everywhere. In no other single paper examined have so many articles been noted that have dealt so thoroughly and so persistently with the general fundamental questions affecting the press of all countries as have been found in the *Japan Chronicle*.

[25] New York *Tribune*, September 10, 1919.

[26] New York *Tribune*, January 24, 1920.

In Bohemia, the leading organ of the Young Czech party was suppressed by the police, apparently because of its advocacy of peace.[28] Two other Czech papers were shortly afterwards suspended, one the organ of the Czech Constitutional party and the other a trade journal.[29] In anticipation of May Day the German newspapers of Bohemia were reported to have all been suppressed.[30]

In Greece the heaviest penalty on record for violating the press censorship regulations was imposed on the editor of the Athens *Chronos*. His offense had been the violation of the terms of the martial law by the reproduction of articles whose publication had been prohibited, and the punishment decreed was eight years solitary confinement, a fine of two thousand dollars, and suspension of his paper for three months.[31] Two Athens newspapers had been previously suppressed by the royal government for exposing the pro-German intrigues of King Constantine.[32]

In Brussels, notices were posted by the German authorities forbidding the sale of newspapers not expressly approved by the Military Governor, and men were tried for peddling prohibited newspapers and for distributing copies of the various clandestine journals.[33]

In Holland the Endhoven *Dagblad* was suspended for a week because of an anti-German article growing out of the sinking of Dutch fishing vessels.[34] The Socialist *Het Volk* protested against this, "There is no preventive control of the press in this country. For the military authorities to make use of the power given them for quite different reasons, to punish an organ of the press that happens to write things that displease them is nothing short of an outrageous abuse," and a protest in the same vein came from the Amsterdam *Handelsblad*.[35] The editor of the Amsterdam *Telegraaf* was arrested for denouncing the smuggling going on from Holland into Germany, and for taxing the government with laxity in enforcing the laws against smuggling and with failure to suppress the non-neutral traffic with Germany. The protest against his arrest and a request for his release was signed by the professors of the University of Amsterdam, by the journalists of Amsterdam, and by the Dutch Institute of Journalists,—"only two papers that count have failed to join in the chorus for liberty of the press." [36] In Mexico a decree was published providing a fine of from fifty to five hundred pesos, or imprisonment from one to eleven months for slander, libel, or the issuance of false or distorted statements. The press was held strictly accountable, as well as all of the employees who handled news, including the printing staff, provided they were cognizant of its character.[37] Dr. P. R. Radosaoljevich wrote that in 1908 "a Servian newspaper [*Fatherland*] was confiscated for only one word, which is supposed to be against the government. [Its] editor, co-editor, printer, some correspondents, and a typist were arrested and were long in Arad, a Hungarian prison".[38]

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[27] *Pros and Cons*, February 5, 12, 1918.
[28] New York *Times*, July 1, 1915.
[29] New York *Times*, July 15, 1915.
[30] New York *Tribune*, April 30, 1917.
[31] New York *Tribune*, April 22, 1918.
[32] New York *Tribune*, February 27, 1917.
[33] Brand Whitlock, *Belgium*, I, 463–464.
[34] New York *Tribune*, August 13, 1917.

In Syria a strict censorship over all mail was rigidly enforced and the American Department of State, acting on reports sent from its consular officers, issued a warning to all persons sending letters to Syria that the presence in such letters of expressions of opinion displeasing to the Turkish government was considered sufficient ground for the imprisonment of the persons to whom the letters were sent,—all persons writing friends in Syria were advised to remember this and thus avoid serious consequences to the persons receiving their letters.[39]

The anti-patriotic campaign, as it was deemed, being carried on by the Liberal and Republican press of Spain at the time of trouble with Moroccan tribesmen in 1909 justified the government, it felt, in establishing a rigorous censorship against the press and an entire edition of *El Pais* was confiscated;[40] in 1917 a Saragossa editor was heavily fined for an article against France.[41]

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[35] New York *Tribune*, October 2, 1917.

[36] Special correspondence of the New York *Evening Post*, December 29, 1915.

[37] New York *Evening Post*, April 10, 1917.

[38] New York *Evening Post*, December 8, 1908.

[39] New York *Times*, February 14, 1915.

The *Gazette de Lausanne* was warned by the Swiss Federal Chancellery for its savage criticism of Germany incorporated in its review of Gerard's *My Four Years in Germany* and informed that another article of the same sort, "characterized as threatening to compromise Swiss relations with Germany," would be "more severely punished." [42] In Turkey nothing was allowed to be published that did not meet with the approval of the censor,—the penalty for disobedience was suspension of the paper or the entire withdrawal of the license for printing.[43]

Italy on entering the war adopted the censorship regulations of the Allies and the *Corriere d'Italia* [44] was quickly suppressed by the Italian authorities at Rome for printing unofficial details of the defeat of the Austrian war ships, thereby revealing the presence of the British Squadron in the Adriatic. The announcement was made that thereafter editors would be held personally responsible for the publication of facts not officially made public by the Government [45] and that until the war was over, Italy would be closed to detailed unofficial descriptions of battles.

[40] New York *Evening Post*, July 23, 1909.
"*Pais*.—Republican. Frankly pro-Ally. (m.)"—"An attempt has been made at discriminating between two types of papers; as minor papers (m) are marked those whose influence and circulation are small or negligible."—"Guide to the Foreign Press: Spain," *The New Europe*, April 25, 1918, 7: 42–44.

[41] New York *Times*, February 13, 1917.

[42] New York *Tribune*, June 30, 1918.

[43] New York *Evening Post*, November 19, 1917.

[44] "*Corriere d'Italia*.—The leading Clerical paper. Belongs to the recently reconstituted 'Catholic Trust' (the Unione Editoriale Italiana; capital, £120,000), which also owns *Italia* (Milan), *Momento* (Turin), *Avvenire d'-Italia* (Bologna), and *Messaggero Toscano* (Pisa). These papers show slight local variations, but were all ex-Neutralist and mildly pro-German before May, 1915, and afterwards took a 'Little War' line. Although connected with the Minister Meda, they are by no means always supporters of the Government or friendly to the Allies. On Vatican questions they show a certain intransigeance, and they have published Crispolti's articles in favour of the Pope's intervention in the peace deliberations. They are, in fact, tepidly pro-War, but not pro-Ally; and they seem afraid that England will prolong the war."—"Guide to the Foreign Press: Italy," *The New Europe*, April 18, 1918, 7:19–24.

[45] Cable from London, May 25, 1915.

The editor of *Avanti*[46] was arrested by the Military Court of Turin on the accusation that he had been one of the instigators of the disorders in Turin in August, 1917,—an accusation therefore of treason.[47] The Roman Catholic *Corriere Fuli* printed an article, after the publication of the Pope's peace proposals, in which the Italian troops were told that they were freed from their oath of allegiance and urged to throw down their arms. The paper was suspended for fifteen days and its editor and manager were interned. The Pope later suppressed the paper permanently.[48] The *Idea Nazionale*[49] was seized by government officials because it had printed an article hostile to France and based on false information.[50]

In Italy, as elsewhere, punitive censorship merges into a positive regulation of the press with the result that news from Italy was not infrequently preceded by the qualifying statement, "unless the Italian censorship represents the popular disturbances in too favorable a light." Even when the press of Italy has not had to endure concrete punishment and actual regulation it has suffered from the displeasure of the Government,—the opprobrium thus incurred has been scarcely less disadvantageous than has been definite official correction. The Italian ambassador to America gave an interview to the Associated Press in which he severely condemned the Italian press for the erroneous impressions of Italy it gave other countries, especially since it affected the foreign credit of the country,[51]—apparently without realizing the effect his strictures on the press might have.

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[46] "*Avanti*.—The 'official' Socialist organ. Openly opposed to the war, and to all Governments, Allied and enemy. The Censor treats it severely on Italian and foreign questions, but much indirect propaganda against the Italian and Allied Governments, against the war, and against the foremost men of the *bourgeoisie*, is allowed to appear. In permanent contact with the Berne International Bureau, and gives much publicity to French pacifism. Its neutral attitude is consistent, and its activities must be sharply distinguished from the tortuous intrigues of certain 'ex-Neutralists'."—"Guide to the Foreign Press: Italy," *The New Europe*, April 18, 1918, 7: 19–24.

[47] New York *Times*, June 2, 1918.

A facsimile of *Avanti* after being censored for an earlier offense is given in the New York *Tribune*, November 4, 1917.

[48] New York *Evening Post*, September 7, 1917.

[49] "*Idea Nazionale*.—Organ of the 'Nationalists'—i. e., Chauvinist party—to which many of the young 'intellectuals' belong. Would attack anything and anybody in the interest of Imperial Italy. Therefore, not only did it advocate the war against the Central Powers on the traditional grounds of racial unity, but it gave prominence to the strategical claims and to the necessity of colonial expansion. It has been, however, till lately, violently anti-Greek about Albania and Asia Minor; anti-Slav about the Adriatic; and, at any hint of Greek or Jugoslav sympathies, anti-French and anti-British. Also, at bottom, anti-British on Imperial questions, about which it writes exhaustively and with great precision and clearheadedness—from its own extreme point of view. It boasts of its unprincipled Machiavellism, its hatred of sentiment about Brotherhood, Freedom and the Rights of Small Nations; is, in fact, a noisy paper which shows its hand from the outset and does not indulge in subterranean intrigues."—"Guide to the Foreign Press: Italy," *The New Europe*, April 18, 1918, 7: 21.

[50] New York *Times*, February 18, 1920.

In France the punitive censorship quickly made itself felt and scarcely a month after the outbreak of the war an editor from Grenoble was summoned to appear before a court martial for printing the "scare" headline, "the evacuation of the Military Zone of Paris." [52] The *Matin* was reprimanded by the Ministry for its indiscretion in speaking of the supposed insubordination of an army division said to have been responsible for a panicky retreat.[53] The Paris edition of the New York *Herald* had a report of an interview with the recently appointed American Ambassador; it was seemingly harmless, but the French Government would not permit it to be cabled to America.[54] The Royalist *Libre Parole* was suspended for forty-eight hours for publishing news that had not been approved by the censor.[55] The Association of Paris Newspapers protested against the suppression of newspapers for violating the orders of the censor prohibiting the publication of certain articles and complained that foreign newspapers coming into France contained the news held back by the censor from the Paris papers. The protest was signed by "the notable managers of the Paris press." [56] In 1916, *Le Radical* was seized and suspended for four days; *Le Journal du Peuple*, for four weeks; *Le Bonnet Rouge*, for four days; *Les Hommes du Jour* was seized and suspended, and the Grenoble *Le Droit du Peuple* added, "Long live the liberty of the press!" [57] Even the close of the war brought little respite,—nothing concerning the Peace Conference was to be published except the official communiqués. This roused vigorous protests and even indignation on the part of the Paris press. But protest and indignation did not avert from the editor of *L'Information* a court martial behind closed doors, a fine of one thousand francs, and the suspension of his paper for eight days because he had published "some interesting indications" other than those communicated by the Government.[58]

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[51] New York *Times*, October 19, 1920.

[52] New York *Tribune*, September 12, 1914.

[53] New York *Evening Post*, September 16, 1914.

[54] New York *Times*, September 26, 1914.

[55] New York *Evening Post*, April 10, 1915.

The Royalist *L'Action Française* did not appear June 24, 1923, and its editor was later fined and imprisoned. The punishment grew out of difficulties between the Royalist and the Socialist parties. This antagonism antedated the war and came to a crisis when the Socialist printers refused to help print the paper, in retaliation for attacks made by the Royalists on Communist deputies.—New York *Times*, June 25, 28, 1923.

[56] New York *World*, October 13, 1915.

It was probably in Germany that the war brought the perfect development of punitive censorship, since at the time of Bismarck's chancellorship and the adoption of the Imperial Constitution, the seed was sown and through slow maturity it had reached perfection. Bismarck's relation with the press was less that of a censorship in any form than that of a positive regulation and control of the policy of the press through the establishment of press bureaus and active propaganda work through the press. But an aptitude and a preference for positive control of the press did not prevent the Iron Chancellor from meting out punishment wherever he deemed it deserved. Even casual comments on Socialism made by the orthodox press "led repeatedly to the confiscation of entire editions of daily and weekly journals." [59] It is commonly remembered, one author notes, that Bismarck always carried in his breast pocket "a bundle of printed slips (containing formal charges) requiring merely the insertion of the name of the offenders and of the paper or papers in which the offense had been committed. These slips he would send to the State's attorney, often several in the course of a day." The person whose name had been filled in would quickly be informed that action had been begun against him for "offending Bismarck," the result was known in advance, and he was sequestered for terms varying from a few weeks to one or two years.[60]

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[57] *Christian Science Monitor*, July 21, 1916, from the Grenoble *Le Droit du Peuple*.

[58] H. P. Stokes, New York *Evening Post*, April 28, 1919.

[59] W. H. Dawson, *Germany and the Germans*, II, 192–193.

[60] W. von Schierbrand, *Germany*, pp. 254–255.

Bismarck's hands were strengthened in dealing with the press by the provision of the Imperial Constitution that placed under the supervision of the Empire and subject to its legislation the laws relating to the press and the right of association.[61] In 1878, two attempts on the life of the Emperor led to still further support of his policy of repression through the passage of the Socialist law containing, among other provisions, stringent clauses directed against the Socialist press. An *Index Expurgatorius* was opened and in its entries were "thirteen numbers of German periodicals, eighty-three German newspapers, and sixty foreign journals and periodicals," [62] and within eight months the authorities had suppressed one hundred and twenty-seven periodicals and two hundred and seventy-eight other publications.[63] After the expiration of the Socialist law, in 1890, the Socialist press attained great proportions and Herr Bebel could boast that the party had a hundred journals with an aggregate circulation of six hundred thousand, and in 1894 the Socialist papers numbered one hundred and thirty-four, while the successful effort to make them self-supporting had increased their self-respect and had commanded the respect of others.[64] But it was only a surface calm. The German law, as has been noted, gave "a much stronger hold on the press than that of other states, and its provisions [were] stretched to the full by the ingenious interpretations of the public prosecutors;" "the public prosecutors knew there was no surer way to promotion than to hunt up offenses against Bismarck and secure the condemnation of the offending papers." [65] The opposition papers were relentlessly prosecuted for the slightest offense against obscure officials, while the Government organs enjoyed immunity from their attacks on the highest members of the imperial circles.[66] Bismarck and Busch were free "to launch

[61] Constitution, II, Imperial Legislation, Art. 4, Sec. 16.

[62] W. H. Dawson, *Germany and the Germans*, II, 193.

[63] C. Gauss, *The German Emperor as seen in his Public Utterances*, p. 7.

[64] W. H. Dawson, *op. cit.* II, 238–239.—In 1892, *Vorwärts* had yielded £2,000 profit for purposes of agitation. P. 239.

[65] "The Change of Government in Germany," *Fortnightly Review*, August, 1890, n. s. 48: 282–304.

[66] *Ib.*,—This article is most valuable in showing the relations between the press and Bismarck and its general subservience to him.

Valuable information is also found in L. Bamberger, "The German Daily Press," *Nineteenth Century*, January, 1890, 27: 24–37; C. Lowe, "The German Newspaper Press," *Nineteenth Century*, December, 1891, 30: 853–871.

campaigns against Augusta," to rage against "foreign influences in the Empire," to foster hatred of England; to ridicule the influence of "aprons and petticoats [freemasons and women];" to prey upon the mind of the public by distorting truth; but while Busch was advised to be "very cautious, diplomatic, and not too venomous" and to "remember the press laws," he did not adhere too scrupulously to the advice and the *Grenzboten* went scot free, in spite of its infamous campaign against the English and the Empress Frederick, under the veiled term, "foreign influences in the Empire." [67]

The Emperor William II was an apt pupil of Bismarck in his relations with the press, but he did not always imitate his caution, and thus others were often left to pay the penalty for his indiscretions. In an impassioned address to the Brandenburg Diet in 1892 he had exclaimed, "Brandenburgers, believe me, a great destiny awaits us. I lead you forward towards glorious days . . . Direct your vision towards the future." But the king could do no wrong, and when the London *Times* commented on the speech, it was the Berlin newspapers that reprinted the article that suffered vicarious punishment and were confiscated.[68]

So frequent have been the punishments administered to the German press that numerous expedients have been devised to avert them or to divert them. One of these has been "the sitting editor,"—perhaps introduced from Russia where "the trick was common for decades from St. Petersburg to Siberia." [69] "So frequent are prosecutions of editors," says Dawson, "that many newspapers are compelled to maintain on their staffs what are known as 'sitting editors' whose special function it is to serve in prison the terms of detention that may be awarded for a too liberal exercise of the critical faculty." [70] At one time the

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[67] The pages of M. Busch, *Bismarck: Some Secret Pages of his History* are crowded with contemptuous references to the press and with illustrations of compulsory subservience to Bismarck's will.

[68] W. H. Dawson, *The German Empire*, II, 283–284, and Note.

[69] E. Poole, "The Sitting Editor and the Russian Police," *World To-Day*, May, 1906, 10: 509–510.

The device was also common in Turkey where an editor "was just paid to go to prison when necessary, and it was not hard to find a new 'prison editor.' "—Ahmed Emin, *The Development of Modern Turkey as Measured by its Press*, p. 99.

[70] W. H. Dawson, *German Life in Town and Country*, Chapter XIII, "The Newspaper and its Readers."

Frankfurter Zeitung had five of its editors in prison at once. If a newspaper has but one "sitting editor" his lot may be a hard one since he may be released from one term only to serve another, and this when he personally may never have even read the offending article.[71] A French critic estimated in 1890 that more than a hundred years of imprisonment had been inflicted on the newspaper opponents of Bismarck.[72] The newspapers themselves were often published in other countries and smuggled across the border into Germany, through "confidants," and thus thousands of prohibited publications were bought by German socialists.[73] It is hard to avoid the conclusion that "an institution so baited and badgered, so disparaged and slighted, by all the organs and officials of the state, from highest to lowest, as is the Press of Germany, cannot be expected to exercise great influence." [74]

Nor was punishment confined to representatives of the press in the immediate circle of Bismarck. In an impassioned address in the Reichstag the representative from Alsace had exclaimed, "Thirty-one years of dictatorship! Gentlemen, it is absolutely impossible for you to form an idea of that dictatorship. One must have felt its weight in order to be able to realise it. I myself have seen the suppression of two prosperous journals, in the establishment of which I assisted, and which the Statthalter swept out of existence by a stroke of his pen. A capital of seventy thousand francs (£2,800) was thereby destroyed." [75]

It was but natural that the war brought no change of heart to authority in Germany in its relations with the press. During the entire period of the war, the instances are innumerable of punishments inflicted on the German press for violations of orders issued by authority. Notices quickly appeared in the German press that the suppression of offending newspapers and the imprisonment of their proprietors for terms ranging up to three years, as well as heavy fines, would be the penalty meted out to all papers disseminating unwarranted war news or false reports,—

[71] W. H. Dawson, *Germany and the Germans*, I, 279.

[72] Th. de Bunsen, "Le Libéralisme en Allemagne," *Revue Internationale*, April 15, 1890, cited in "The Change in Government in Germany," *Fortnightly Review*, August, 1890, n. s. 48: 282–304.

[73] W. H. Dawson, *Germany and the Germans*, II, 197–199.

[74] *Ib.*, I, 281.

[75] Abbé E. Wetterle, *Behind the Scenes in the Reichstag*, p. 155.

the decision as to what was unwarranted or false apparently being determined by authority.[76] The news quickly came that the *Kölnische Volkszeitung*, the leading Catholic paper in Germany, had been suspended for criticizing the note sent by the Kaiser to President Wilson in regard to the conduct of the war in Belgium.[77] Soon after, word came of the indefinite suspension of *Vorwärts* by order of the military commander,[78] but the decree was rescinded a few days later on condition that it avoid all reference to class struggle and class hatred,—an interference by military authorities scarcely justified since the offending article had spoken of the continued opposition of the Socialists to the policies of the Government, and had assuredly given no military information to the enemy.[79]

But political news was largely forbidden to the press, and when the *Vossische Zeitung*[80] quoted the Chancellor as saying that the war might last longer than was expected and that the German people "had better tighten up their belts," its evening edition was suppressed.[81] An edition of the *Münchener Zeitung* was reported as confiscated because it advocated the future annexation of Belgium,[82] although soon after *Vorwärts* protested against the policy of the censor in permitting agitation for annexation,[83]—an interesting illustration of the confusion wrought by censorship. The editor of the Gotha *Volksblatt* was sentenced to three months' imprisonment and his paper was suspended for a sarcastic comment on the Kaiser's statement that he no longer knew parties, only Germans.[84] *Vorwärts* was again suspended for publishing an appeal for peace,—an official statement of the Socialist Democratic party stating that the Socialists were opposed to a policy of conquest and annexation and that they desired peace with other nations.[85] The *Lokal Anzeiger* had an entire edition confiscated, for the first time in its history so said; probably for an editorial on the relations of the United States, Germany, and Austria,—showing an evident desire of the Government to avert difficulties with America. But on its reappearance, the same evening, it again attacked President Wilson,—showing once more the futility of the claim that punishment engenders virtue.[86] When the *Goerlitzer Volkszeitung* refused to publish an official article as one of its own, its plant was seized by the military authorities, the paper was published at the expense of its owners, and the editor imprisoned.[87]

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[76] New York *Times*, August 30, 1914.

[77] New York *Times*, September 17, 1914.

[78] New York *Times*, September 29, 1914.

In its issue of October 18, 1914, the *Times* gives in large part the editorial that caused the suspension of *Vorwärts*. The most significant passages, from a post-war point of view, are those referring to Germany's efforts "to make the truth known abroad," to the alleged fact that these efforts had not been successful, and that "the extent of these efforts shows how difficult it is to create confidence in the German reports." It alludes to the long deprivation of German news in foreign countries and continues: "But this alone can not explain the existing difficulties. It is necessary to go back to times of peace to find the explanation. For a long time a great measure of mistrust, suspicion, and antagonism to Germany has been heaping up abroad, even in the neutral countries, and we now see the effect of this. . . . The comrades abroad can be assured that the German working class disapproves to-day every piratical policy of state just as it has always disapproved it, and that it is disposed to resist the predatory subjugation of foreign peoples as strongly as the circumstances permit. The comrades in foreign lands can be assured that, though the German workmen also are protecting their Fatherland, they will nevertheless not forget that their interests are the same as those of the proletariat in other countries, who, like themselves, have been compelled to go to war against their will, even against their often repeated pronouncements in favor of peace."

Dr. W. Mühlon in commenting on the suspension of *Vorwärts* says: "When one of the leading German newspapers, because it dares to breathe a word of criticism and express an independent opinion, is simply suspended without warning, and without any previous conviction, no one can any longer doubt that it is a disgrace to be a German subject. . . . How can these men have the audacity to keep on pointing to the unity of German thought and utterance . . . when in the whole of Germany not a single word may be printed or spoken for which the Government has not given the cue."—*Diary*, September 29, 1914, pp. 183–184.

[79] "The management of *Vorwärts* has given assurances of compliance."—New York *Evening Post*, October 1, 1914.

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[80] "*Vossische Zeitung* is edited by Georg Bernhard. It used to be violently Jingo, but its present policy is that of 'the continual understanding'; and in order that this policy may be imposed on the Chancellor it has become one of the most outspoken advocates of Reichstag control. Very suspicious of von Kühlmann's 'Anglophilism.' It has two famous correspondents, Behrmann (who writes on Russian affairs from Stockholm) and Ludwig in Vienna. Owned by Ullsteins, the publishers of cheap reprints, who also publish the cheap and popular *Morgenpost*."—"The German Press," *The New Europe*, April 11, 1918, 7: 409–416.

[81] The Chancellor denied making these statements.—New York *Times*, December 5, 1914.

[82] New York *Tribune*, March 8, 1915.

[83] New York *Times*, April 18, 1915.

[84] New York *Times*, March 11, 1915.

[85] New York *Times*, June 27, 1915.

This gives the Manifesto of the Managing Committee of the Socialist Democratic Party. An editorial of *Vorwärts*, apparently in the same issue on the subject of the Manifesto, is given in the New York *Evening Post*, July 31, 1915.

[86] New York *Times*, December 19, 1915.

Whether from exhaustion, from change of heart, from inadvertence, or from fear, the German government occasionally allowed "an unwonted freedom of discussion." [88] In May, 1917, "the truth, long kept out of Germany," says the *Times*, "seemed to have started at a gallop the moment it found its legs on that soil. The utterances now appearing in German newspapers are astounding for their freedom and for their radical nature. No such utterances have been heard there as are now coming forth daily. . . . The fact that such utterances are permitted, that we hear of no more suppressions of newspapers and arrests of editors, undoubtedly proceeds from the fact that the situation has changed and that the Government no longer dares." [89]

But the respite seemed to be but brief. The press quickly reported the suppression by the German military authorities of the anti-Semitic *Staatsburger Zeitung* and the radical *Weekly World*,[90] and later it asserted that the censorship of political newspapers in Germany had never been more active than at that time.[91]

Vorwärts reported the suspension of seven conservative Berlin papers because they had published reports of the trial of an Independent Socialist deputy charged with promoting a demonstration strike against a peace of annexations and for a peace by understanding,—a charge that he denied.[92] *Vorwärts* and the *Berliner Tageblatt* were suppressed because they had printed too freely the news from Vienna.[93] *Die Zukunft* [94] was in July,

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[87] G. Miller, New York *Tribune*, July 6, 1917.

[88] New York *Evening Post*, May 10, 1917.

[89] New York *Times*, May 3, 1917.

[90] New York *Tribune*, June 5, July 4, 1917.

[91] *Ib.*, September 29, 1917.

[92] New York *Times*, February 7, 1918.

[93] NewYork *Evening Post*, January 24, 1918.
A facsimile of the notice of the *Tageblatt* suspension for three days is given in the New York *Tribune*, February 24, 1918.

[94] "An Ishmael, with its hands raised against everybody's and everybody's against its, is Maximilian Harden's *Die Zukunft*, the youngest but for a time at least the most vigourous and impressive of German political reviews. [Founded] in 1892, [it] became an immediate financial and literary success . . . all due to the sensational and decidedly clever series of slashing and bitterly anti-Kaiser essays published under the diaphanous *nom de guerre* 'Apostata.'

1917, suppressed for the rest of the war and Maximilian Harden, its editor, was detailed as a military clerk,—actions attributed to the paper's ridicule of the humanitarian pose of the official *Norddeutsche Allgemeine Zeitung* and its statement that the aims of Germany's enemies were the right of nations to self-government; honest, not specious, diminution of armaments; arbitration courts and the creation of a situation that would remove the decision of peace or war from the will of one person and place it in the hands of the community.[95] The Breslau *Volkswacht* was suppressed for protesting against the air raids on London in which women and children were killed.[96] *Germania*, for no reason reported, was suppressed "until further notice," [97]—an action of the censor that appeared particularly daring since it represented such a powerful influence.[98] The entire editorial staff of the *Leipziger Volkszeitung* was banished to Switzerland and condemned to internment at Berne until the end of the war,[99] and later the paper was suppressed *sine die*. Contrary to their usual custom, the military authorities gave a detailed explanation of

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. . . After a number of convictions for *lèse majesté*, entailing many dull months in musty old fortresses by the Baltic, Harden changed his cue and modified his language, all of which has lost him his popularity and his dash."—W. von Schierbrand, *Germany* (1907), pp. 264–265.

[95] New York *Times*, July 8, 1917; New York *Tribune*, July 12, 1917; cartoon of Cesare, *Evening Post*, July 13, 1917.

Maximilian Harden's controversies with the government did not end with the war and the downfall of the empire. In July, 1922, he was seriously wounded by assassins, but six months later only very light penalties were imposed on his assailants. This roused his indignation, as it seemed to him a reflection on Germany. Even the reactionary papers were reported to describe the verdict and sentences as an astonishing miscarriage of justice.—New York *Times*, December 16, 1922.

[96] New York *Tribune*, June 22, 1917.

[97] New York *Evening Post*, September 21, 1917.

[98] "*Germania* is the Berlin organ of the Centrum, is now in touch with Hertling, and is studiously moderate. It was a loyal supporter of Bethmann. During the July crisis (1917) it supported Erzberger, and since that date claims to be an exponent of a moderate policy of peace by understanding. In reality all Catholic organs in Germany have at heart the extension of German political influence and are supporters of a strong colonial policy. They know that, owing to the balance of parties in the Reichstag, the Imperial Government cannot dispense with the support of the Catholic Centre and that the Catholic Party may therefore hope to enlist German foreign and colonial policy in the interests of the Church."—"The German Press," *The New Europe*, April 11, 1918, 6: 419–416.

[99] New York *Times*, July 30, 1916.

its course, pointing out an article specially objectionable to them on the subject of Alsace-Lorraine, but also characterizing the general tendency of the paper as being in the highest degree dangerous to the state. The order for suppression covered any evasion that might be devised, such as publication under another name, the delivery of another paper to its subscribers, and the publication of special editions.[100] The *Berliner Tageszeitung* was suspended indefinitely on account of articles it had published written by Count von Reventlow asserting that international law must be disregarded in the conduct of submarine warfare,—the evident desire of the authorities being to produce a good effect on neutrals[101] and not to imperil the relations between America and Germany, although some found a more generous explanation in the indication it gave that responsible statesmen were eagerly desirous of finding a common ground for an understanding with America.[102] The *Berliner Tageblatt* was suspended because of an editorial by Theodor Wolff dealing with the food situation and war aims.[103] The *Düsseldorfer Volkszeitung*[104] was suspended for three days for discussing war goals and demanding the rejection of the demand for Belgium.[105] The editors of the *Liberal Korrespondenz* were fined and threatened with imprisonment because they showed that the so-called Fatherland party was only a cloak for the efforts of the Conservative party.[106] In the West and the South newspapers were suppressed for voicing the demands for peace; the *Berliner Post*, for opposing giving up the occupied territory; the *Lokal Anzeiger*, for an article on the relations of America, Austria, and Germany; one of the numerous convictions of *Vorwärts* was for inciting class hatred and disobeying the military authorities.[107]

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[100] *Christian Science Monitor*, September 29, 1916.

[101] New York *Times*, June 23, 1915.

[102] New York *Evening Post*, June 22, June 23, 1915.

[103] *Christian Science Monitor*, June 30, 1916.

[104] New York *Times*, April 18, 1915.

[105] New York *Times*, April 18, 1915.

[106] New York *Tribune*, July 27, 1918.

"*National Liberal Korrespondenz*, the organ of the Central Committee of the [Right] and the medium by which the official policy of the party is communicated to the press."—"The German Press," *The New Europe*, April 11, 1918, 6: 409–416.

[107] New York *Times*, May 28, 1916.

The Crown Prince in his turn made his contribution to the subject of punitive censorship. The *Berliner Tageblatt*, under the title "The Wishes of a Heroic Youth," published a telegram that had recently come to light, sent by the Crown Prince to his father and transmitted by the latter to General Field-Marshal von Hindenburg. It reads:

"Berlin, Jan. 2, 1918. General Field-Marshal von Hindenburg. IMPORTANT:

"His Majesty commands me to transmit the following telegram received from His Royal Highness the Crown Prince to Your Excellency:

"'I beg you to forbid the circulation of the three newspapers,—*Frankfurter Zeitung*, *Berliner Tageblatt* and *Vorwärts*, on the western front. The damage which these three newspapers have done during the recent months to sentiment among our men is lamentable. It is not a matter of indifference to us leaders how the officers and men view things in the great decisive struggle. To my great joy I see that they are taking stern measures in Berlin.

"With cordial greetings,
"Your loyal son,
"(Signed) Wilhelm." [108]

The tables were turned but the policy not changed with the occupation of the Rhine Valley by the Allies. One of the newspapers of Trèves was suppressed for a poetical "prayer for the Kaiser" and only slightly concealed criticism of the Americans.[109] The morning and evening editions of the Coblenz *Gazette* were suppressed for criticising the Allies.[110]

In Austria similar conditions prevailed. The *Neue Weiner Journal* was suppressed for a week because it had criticised the censorship, and fifty-five Austrian provincial papers were suppressed within a month for discussing food conditions.[111] In Vienna the *Narodni Noviny*, that had become the organ of the Czech national rights democracy, was suppressed,—an act that led the *Arbeiter Zeitung* to protest against it on the grounds of both legality and policy.[112]

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[108] *Berliner Tageblatt*, December 10, 1918. C.

[109] New York *Times*, February 16, 1919.

[110] New York *Evening Post*, March 26, 1919.

An Associated Press dispatch from Coblenz, March 19, 1923, stated that more than four hundred newspapers published in the Rhineland and the Ruhr, out of a total of more than fourteen hundred, had been suppressed by the occupation authorities for periods varying from three days to several months. Prison sentences running as high as eighteen months and fines of as much as one million marks had been imposed on eighty-two editors and thirty-one publishers. Eighteen editors and nine publishers had been deported with their families.—New York *Times*, March 20, 1923.

These illustrations of the operation of punitive censorship in Germany and in Austria throughout the war could be extended almost indefinitely, but a sufficient number have probably been given to indicate that the punitive censorship was in effect entirely political in character; that while preventive censorship was ostensibly concerned with military affairs, punishments were inflicted for opinions expressed on political questions and the general policies of the Government; that the newspapers most frequently and most severely punished were those of liberal or progressive tendencies and those frankly socialist or radical. The bare enumeration of the number of times punishment was meted out to *Vorwärts*, the *Berliner Tageblatt*, and *Die Zukunft*, would now be an interesting diversion. Not until nearly the end of the war did a paper of another type apparently suffer at the hands of authority; the *Berliner Neueste Nachrichten*[113] announced in its issue of July 4, 1918 that "by order of the Commander-in-Chief of the District, the appearance of our newspaper has been forbidden until further orders."[114] But in this case also the reason was apparently political since the *Nachrichten* had urged the intervention of Germany in Northern Russia.

It is not surprising that the programme of the Majority Parties forming the platform of the new government included a demand for "an immediate modification of the law relating to a state of siege so as to protect personal liberty; the right of assembly, and the freedom of the press; limitation of the censorship to questions relating directly to foreign governments, to the conduct of the war, to the movement of troops, and to the production of war supplies." [115]

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[111] New York *Evening Post*, November 13, 1915.

[112] *Arbeiter Zeitung*, May 26, 1918. C.

[113] "*Berliner Neueste Nachrichten* is Krupps' Berlin organ, and even more deliberately violent than the *Rheinisch-Westfälische Zeitung*.* This was the first newspaper that the late Frederick Krupp acquired. He used to say that the proprietorship cost him more trouble than the rest of his enormous business."—"The German Press," *The New Europe*, April 11, 1918, 6: 409–416.

* "*Rheinisch-Westfälische Zeitung* is Krupps' Essen organ; the news it contains is often highly tendencious."—"The German Press," *The New Europe*, April 11, 1918, 6: 409–416.—Its circulation (1918) was 140,000.

[114] New York *Tribune*, September 15, 1918. A facsimile of the announcement of suspension is given.

It is almost axiomatic that rigorous punitive censorship is the accompaniment of a repressive pre-censorship and Russia well affords a basis for this conclusion. For at least twenty years punitive measures directed against the press have apparently been growing more severe and more unreasonable. It has been impossible for a genuinely liberal paper to thrive there, since for years the daily press outside of St. Petersburg and Moscow has been subject to preliminary censorship, but papers with even a liberal tendency have been called before the bar. In 1902, a Russian prince who had long enjoyed imperial favor and had leased an important newspaper from the Government was summoned before the Minister of the Interior and told that he must immediately dismiss one of his editors and that the lease of the paper would be cancelled in two months although it had yet several years to run.[116]

Apparently protests against administrative punishment did not avail. The Year Book published in 1914 by one of the Russian papers gave in detailed form statistics showing that the severity of punitive censorship had steadily increased since 1906 and that during the eleven months prior to the report, three hundred and forty journals had been "administratively mulcted" in the aggregate sum of £12,977. It also showed that extreme severity had been the portion of the Socialist-Labor press; one paper had been confiscated twelve times in two months and had been fined £600; another Social-Democratic paper when it issued its one-hundredth number was being conducted by its thirteenth editor, all of his twelve predecessors being then in prison; twenty-five of its issues had been confiscated, and fines aggregating £850 had been imposed in seventeen cases. The report again showed that the Beiliss trial at Kiev had involved a large number of press prosecutions; one hundred and two papers had been prosecuted, forty-three confiscation fines amounting to £1,285 had been imposed, six editors had been arrested, and three journals suppressed. This had been done while "rancorous and rabid utterances of the anti-Jewish journals, which screamed for the blood of Mendel Beiliss, enjoyed an absolute immunity from censorial interference." [117]

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[115] *Berliner Tageblatt,* October 5, 1918. C.

[116] New York *Tribune*, August 3, 1902.

Labor papers in Russia had serious difficulties. One of them in 1914 issued one hundred and thirty-six numbers, sixty-seven of them were confiscated; the paper was temporarily suspended seventeen times and after five months' existence it was permanently suppressed. During this time it had had nineteen editors and thirteen of them were under arrest when it was suppressed. Confiscation, suppression, and proceedings against editors and publishers were the order of the day.[118]

But as elsewhere the revolution reversed conditions and after that it was only the labor and the radical press that escaped punishment.[119] The Petrograd *Dien* (*Day*), which before the Revolution had been an advanced Liberal organ, became moderately socialist, but was suppressed by Trotzky, a former collaborator, and then reappeared under the name *Notch* (*Night*).[120] In Russia authority, through whatever form of government it is exercised, has always feared a domestic enemy more than a foreign foe.

The tendency in England, as is noted elsewhere, has been to regulate rather than to censor the press. During the eighteenth century the punishments threatened the press were aimed chiefly

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[117] These facts were published in the New York *Evening Post*, April 10, 1914, and were taken by it from the St. Petersburg Correspondent of the London *Standard*. The following table compiled from these data is significant.

Year	*Repressions*	*Fines*
1906	16	£ 1,522
1907	148	£ 6,500
1908	120	£ 8,200
1909	182	£ 8,737
1910	243	£ 6,015
1911	268	£ 3,450
1912	317	£ 9,680
1913 (11 mos.)	340	£12,977

[118] New York *Tribune*, May 31, 1914.

[119] F. A. Gaylord, New York *Evening Post*, February 5, 1918.

[120] The reasons for suppression are given in the New York *Tribune*, December 14, 1917.

at those who published reports of proceedings of Parliament. In 1738 the House of Commons resolved: "That it is an high indignity to, and a notorious breach of the Privilege of, this House, for any News-Writer, in Letters or other Papers, (as Minutes, or under any other denomination) or for any printer or publisher of any printed News Paper of any denomination, to presume to insert in the said Letters or Papers, or to give therein any Account of the Debates, or other Proceedings of this House or any Committee thereof, as well during the Recess, as the sitting of Parliament; and that this House will proceed with the utmost severity against such offenders."[121] For many years a game of blind-man's-buff was kept up between the press—anxious to print such reports, and Parliament, somewhat ostentatiously protesting against them, yet overlooking them when they did not enter the field of seditious libel.

Outside of this field, the punishments actually inflicted on the press were mainly for transgressing these laws of regulation. Thus at the end of the eighteenth century, the press laws passed imposed most severe penalties on the publication or circulation of unstamped newspapers, the object being, says Collet, "not to bring a number of the opponents of the Government to utter grief, but to suppress all expression of discontent."[122] John Wilkes had been persecuted and prosecuted, quite as much, there is the temptation to believe, because he was John Wilkes as because of the specific original offense with which he had been charged. This was the publication of the *North Briton* No. 45, which had reflected on George III, under cover of attacking Lord Bute,—an attack that led to the resignation of Lord Bute "under fire."[123] The House of Commons, after debating the question, divided, and resolved by a vote of two hundred and seventy-three to one hundred and eleven that No. 45 was "a false, scandalous, and seditious libel" and it was ordered to be burned by the common hangman. Many other legal questions were involved in the controversies concerning Wilkes, but it is unnecessary to attempt to disentangle them here. General warrants, the right of search, immunity of members of parliament, the right to publish reports of parliamentary debates, libel, freedom of the press are all interwoven, but from all these prosecutions Wilkes ultimately emerged the victor, and the recognized champion of the press, although his most recent biographer questions whether "Wilkes, who was well aware of the risks he ran in committing the offense of *lèse majesté*" deserves "the crown of martyrdom."[124]

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[121] J. Nichols, *The Rise and Progress of the Gentleman's Magazine*, p. xxiv. A slightly different and briefer wording of the resolution is given in *Hansard*, under date of April 13, 1738, XXIII, 148.

[122] C. D. Collet, *History of the Taxes on Knowledge*, I, 13–14.

[123] Copies of the *North Briton* are reasonably accessible. The most recent account of the controversy, based largely on manuscript and newspaper material, is that of H. Bleackley, *Life of John Wilkes*, pp. 87–143. The author says, "A very accurate biography of Wilkes could be written from the information in contemporary newspapers alone, few men having been so voluminously paragraphed in the press."—P. vi.

Many of the punishments inflicted on the press in England come under those for blasphemous or seditious libel,—Richard Carlile was not only fined and imprisoned and his place of business closed, but practically $10,000 worth of pamphlets and books were confiscated, although confiscation of his property had not been a part of the sentence passed on him,[125] and these are discussed elsewhere. But in the first third of the nineteenth century, as earlier, the number was large of prosecutions that resulted in heavy fines and long imprisonments imposed for violations of the stamp duties. The number has been variously estimated from five hundred to seven hundred and fifty, but the variation in estimates does not alter the basic grievance that punishment was the fate of the pioneers of the penny press "which were printed with the greatest secrecy, distributed by a variety of devices, and sought by working men with an avidity that increased with the supply of the aliment and the risks that attended the procuring of it." [126]

Other reasons explain the suspension of various mid-Victorian magazines. The *Cornhill Magazine* was suspended for "an unsparing attack on society organized according to the accepted 'laws of political economy,'"—"a little essay on the psychology of money-getting and money-keeping," that was written by

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[124] H. Bleackley, *op. cit.*, p. 420.
[125] T. C. Campbell, *The Battle of the Press*, p. 53.
[126] Thomas Frost, *Forty Years' Recollections*, p. 8.

Ruskin. *Fraser's Magazine* was about the same time suspended for the publication of certain articles written by J. A. Froude. Both of these suspensions were "compelled by an outburst of public indignation" over "the publication of what we should now regard as rather commonplace views,"[127] an interesting illustration of the compelling force of unofficial authority.

The war gave abundant opportunity in England as elsewhere for the exercise of a punitive censorship. The London *Globe* was suspended from November 6 to November 22, 1915, for reiterating, after official denial, that Lord Kitchener had resigned.[128] Both editor and cartoonist of the *Bystander* were fined for a cartoon of an intoxicated soldier.[129] The military correspondent of the *Morning Post* published, with the approval of the editor, an article on the deliberations of the Versailles Council after it had been refused publication by the censor, and both editor and correspondent were each fined five hundred dollars and costs,—a result that led the correspondent to say in a cabled interview, "Under the Defense of the Realm Act you can lock a man up for nearly anything."[130] Among the sequelae of the original controversy were the fine of five hundred dollars imposed on the editor of the *Weekly World* for an article referring to the article on the Versailles conference;[131] a bitter attack by the *Observer* on the military correspondent as being the chief source of the mischief, working through the *Morning Post* and the "*Naturalized News*," *i.e.*, the *National News*, started by a naturalized Austrian; and a general newspaper war in which there was evident some protest against the censorship *per se*, irrespective of military correspondents and military officials and their criticisms of the Government.[132] The entire controversy gave point to an early observation that "the old dispute whether it is an advantage for a fighting man to be as apt with the pen as the sword has largely been rendered obsolete by the modern censorship."[133]

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[127] F. S. Marvin, *The Century of Hope*, pp. 293–294.
[128] New York *Tribune*, November 7, 1915.
[129] New York *Times*, February 19, 1916.
[130] New York *Times*, February 14, 1918.
[131] New York *Tribune*, February 17, 22, 1918.
[132] New York *Times*, New York *Tribune*, May 13, June 2, 1918.
[133] New York *Evening Post*, January 19, 1918.

Irish papers also suffered during the war. Several were suppressed in December, 1914,[134] and the circulation in England of the *Irish World* and the *Gaelic American* was forbidden.[135] The Cork *Examiner* was suppressed in September, 1919, its offices were raided by bodies of armed military and police, and such parts of the machinery dismantled as effectively to prevent the production of any of the newspapers issued from the offices. While no explanation of the raid was specifically given, it was understood to be due to the advertisement of a Sinn Fein loan. The *Examiner* had assumed that the prohibition of reference to it that had existed under the censorship had lapsed with the withdrawal of the censorship. The military authorities had, however, retained full power and had made the raid.[136] The Dublin papers had been offered the same advertisement but they had refused to accept the risk, so that possibly the Cork *Examiner* had made the wish the father of the thought. The ban on the publication of the *Examiner* and allied newspapers was lifted in a few days, and within a week they began appearing regularly. "Nevertheless the Irish Executive continued to suppress or suspend newspapers which published the prospectus of the Sinn Fein loan. Three such newspapers were suppressed in Limerick on the twenty-third [of September, 1919]."[137] The *Freeman's Journal* of Dublin was suppressed in December, 1919, and it was six weeks before the ban was removed,—the explanation was its violent attacks on the Government.[138]

There was trouble also in Scotland where the Socialist *Forwards* was seized by the police.[139]

In America, as in England, punitive censorship pure and simple has had a comparatively small place apart from general regulation of the press. During the Revolutionary period, the Patriots were not averse to administering punishment to the papers that supported the Tory cause.[140] During the Civil War, it was also popular violence, rather than regularly constituted authority, that for the most part punished editors and newspapers when they had shown too little zeal for the popular side.[141]

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[134] New York *Evening Post*, December 3, 1914; New York *Times*, December 12, 1914.

[135] New York *Times*, December 12, 1914.

[136] *Annual Register*, 1919, pp. 110–111; New York *Times*, September 18, 1919.

[137] *Annual Register*, 1919, p. 111.

[138] Manchester *Guardian* (weekly edition), January 30, 1920.

[139] New York *Evening Post*, January 24, 1916.

The New York *Journal of Commerce* had had a grievance against the Government, and it was probably with some satisfaction that it announced in 1864 that "a list of editors and other citizens arrested by Lincoln under martial process and with denial of the writ of *habeas corpus* would fill eighteen columns of this newspaper." In spite of the assertion that it would be impossible to make a complete list of the newspapers suppressed by Lincoln because "they gave aid and comfort to the enemy,"[142] the opinion has recently been reached by a careful student of the period that "the government did far less than the enthusiastic Union men of the time would have wished in the way of controlling the press."[143]

A few cases that at the time were especially conspicuous have been the basis of the opposite but probably incorrect view. When General Burnside, July 3, 1863, issued the order that "on account of repeated expressions of disloyal and incendiary sentiments, the publication of the newspaper known as the Chicago *Times* is hereby suppressed," it was followed by the arrival of two companies of infantry who "took possession of the office, stopped the press, destroyed the newspapers which had been printed, placed a guard over the establishment, and patrolled the entire block during the remainder of the night." The immediate response was a mass meeting of citizens presided over by the mayor, and a telegram from President Lincoln rescinding the order of General Burnside and directing him to suspend no more papers without first conferring with the War Department.[144]

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[140] John Mein published the *Chronicle* from 1768 to 1770. The paper was at first neutral, but afterwards vigorously espoused the cause of the Tories. This led to a furious attack by a mob and the editor soon afterwards fled to England.—*Letters of James Murray, Loyalist*, pp. 168–169.

[141] *Annual Cyclopaedia*, 1864, pp. 393–394.

[142] Cited by the New York *Tribune*, December 9, 1917.

[143] J. G. Randall, "The Newspaper during the Civil War," *American Historical Review*, January, 1918, 23: 303–323.

This opinion is confirmed in an article by E. B. Freeland on "The Freedom of the Press," *Continental Monthly*, October, 1863, 4:361–367.

[144] J. F. Rhodes, *History of the United States*, IV, 245–255.

D. A. Mahony, the editor of the Dubuque, Iowa, *Herald*, was arrested and imprisoned for nearly three months in Washington, D. C., for publishing editorials against the Government, although no official reason for the act seemed to be given. One explanation was that it was done to prevent his running for Congress against a Republican candidate since he was nominated a few days after his arrest, and the period of his confinement—August 14–November 11, 1862—seemed to give color to this surmise, although it did not prove its truth.[145]

Early in the Civil War, on the order of Secretary Stanton, *Harper's Weekly* was suspended because it had printed sketches of the Federal works before Yorktown, then being besieged by General McClellan. The firm of Harper and Brothers was informed that it had thereby given "aid and comfort to the enemy," and a representative of it was summoned to Washington. On his arrival, however, he not only secured the immediate revocation of the order, but in addition received the thanks of the Secretary of War for the support *Harper's Weekly* was giving the Administration.[146]

On the other hand, the threat of suspension may give "aid and comfort" to a newspaper. *Harper's Weekly* waged a vigorous campaign against the Tweed Ring and in consequence its sale on news stands was forbidden by Mayor Oakey Hall. Mr. J. H. Harper recalls how he used to walk down to the office with his grandfather, who would "anxiously inquire of the news-dealers on the day of publication if the *Weekly* had been suppressed as yet; and he always seemed to be greatly disappointed when he learned that the Ring had failed to carry out its threats." [147]

Even during the "so-called military despotism" of the Reconstruction period, an eminent historian has considered it a curious circumstance that "the press and public speech were, with two or three insignificant exceptions, absolutely free." [148]

[145] D. A. Mahony, *The Prisoner of State, passim;* F. B. Wilkie, *Thirty-five Years of Journalism*, Chapter XIX.

[146] J. H. Harper, *The House of Harper*, pp. 181–182.

[147] J. H. Harper, *The House of Harper*, pp. 284–294.

[148] J. F. Rhodes, *History of the United States*, VI, 78.

"One of the rare violations of the freedom of the press had been committed by General Ord, who had arrested Colonel McCardle, a Vicksburg editor, for severe criticism of him and of the Congressional policy and confined him in a military prison" (November, 1867).—*Ib.*, VI, 96.

It must be remembered that all these illustrations of punishments suffered by different representatives of the press have come as a result of popular violence or through a military command,—they have not been due to a definite, fixed policy entered upon deliberately by the highest constituted authority in the state. A few illustrations, however, of such a policy there have been, although they have been determined upon at times of great excitement due to actual or prospective war.

In spite of the guarantee of the United States Constitution that Congress should pass no law restricting freedom of the press, the Act of July 14, 1798, provided "that if any person shall write, print, utter or publish, or shall cause or procure to be written, printed, uttered or published, or shall knowingly and willingly assist or aid in writing, printing, uttering or publishing any false, scandalous and malicious writing or writings against the government of the United States, or either house of the Congress of the United States, or the President of the United States, with intent to defame the said government, or either house of the said Congress, or the said President or to bring them, or either of them, into contempt or disrepute; . . . then such person, being thereof convicted before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding two thousand dollars, and by imprisonment not exceeding two years."

This punitive censorship was passed to restrain an intemperate, partisan press from embarrassing the Federal Government in its foreign relations. But the act was quickly enforced against the partisan political press and hence it became doubly obnoxious.

To all forms of punitive censorship the press itself is in theory opposed. It does not wish to shield its members who are proved to be criminals; although it has not always supported its members who could reasonably claim immunity from punishment on the ground of not having violated the higher law. But it has claimed freedom of the press to be an inalienable right in a free country and it has believed with Stepniak that "the position of the Press is an excellent thermometer for measuring at every moment the intensity of despotism."

The press has moreover differed with authority as to the channel through which punitive censorship is to be administered,—this, without in any way acquiescing in the claim of the right to administer it.

All of the various forms of punishment which have been considered have been inflicted through the courts as a result of specific legislation; or unlimited discretionary authority has been given the chief executive; or the postmaster-general has been given the decision,—sometimes exercised through local postmasters; or high military commands and general staffs have been made administrators of the law. Punishment is punishment, but the press has been less restive under the jurisdiction of the courts than it has been under administrative jurisdiction. But since court processes are always prolonged, authority itself has preferred administrative control that has been able to act with speed and efficiency.

Yet to many punitive censorship seems justly meted out to the press when it deliberately publishes as news, statements it knows to be false. "The freedom of the press," says one author, "is a jewel to be maintained at all cost, but the publication of false news is no more to be associated with freedom than theft is to be associated with free exchange," and he advocates punishment at the hands of the law for all such offenses.[149]

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[149] M. H. Judge, "Should not the Publishing of False News be by Law a Misdemeanour?" *Westminster Review*, December, 1906, 166: 617–618.

The author cites in illustration the "second extra" edition of an evening paper that announced "Attempt on the Czar," a later edition of the same paper that stated "Feared Attempt on the Czar," while the papers of the next morning said that the news was false.

In 1923 the Minnesota Legislature enacted a law that any person who wilfully furnishes a Minnesota paper with a false statement is guilty of misdemeanor. It was aimed at practical jokers who send in false notices of weddings, engagements, or other "events," and any person who gives such misinformation to a newspaper "wilfully, knowingly, and maliciously" comes under its provisions.—*Christian Science Monitor*, March 3, 1923.

The Italian Cabinet in July, 1923, adopted a regulation prohibiting the publication of news of a false or biased character, calculated to hamper the Government in its diplomatic relations with foreign powers, or damage national credit at home or abroad. Prefects were authorized to suspend or even suppress newspapers violating the regulation, independently of what penal action might be taken against those responsible.

The opposition newspapers apparently interpreted this action not only as a measure of punitive censorship but also as one of absolute suppression of freedom of the press.—New York *Times*, July 13, 14, 1923.

The *New York Evening Post* comments editorially: "Life under Mussolini is one new liberty after another. The latest institution to feel the weight of

It must seem, however, that these offenses, serious as they are and demanding regulation, are to be classed with those that are best dealt with by the press itself rather than by law. The press has regulated the whole question of advertising,—long guilty of as serious wrongs against the public as are reporters over-zealous to claim a "scoop." It should rest with the press itself to administer summary punishment on all its members who violate professional ethics.

It must be evident from this consideration of the subject that the reasons for inflicting punitive censorship on the press vary with the country, with the time, and with the peculiar sensitiveness of the authority of the time being in regard to specific questions. Punitive censorship has covered a multitude of international relationships and newspapers have been punished for their alleged sympathies with the Allies, with Alsace-Lorraine, with America, with Belgium, with Germany, with Great Britain, with Ireland; for being hostile to the military or to the political allies of a country; for giving information to the enemy; for disclosing political intrigues; for publishing unofficial news; for circulating propaganda.

Within individual nations, the press has suffered because it has been charged with publishing seditious, or disloyal, or unpatriotic matter; or "news that authorities have decided is against the public good," or news "inimical to the public welfare;" for attacking the dignity of the nation; for favoring reform; for exciting class hatred; for republican, or socialist, or I. W. W., or anarchistic, or royalist, or imperialistic tendencies.

Punishment has come because of specific articles discussing war aims, peace goals, retention of occupied territory, food conditions, the clothing situation; because of protests against air raids inflicting injury on women and children, on hospitals, and on Red Cross stations; because of protests against the sinking of fishing vessels or of passenger steamers; because of articles praising the courage or the loyalty of the Jews, or finding good

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his emancipating hand is the press. . . . We have sufficient faith in [him] to believe that if he finds himself inconvenienced by other people's speeches he will give speech in Italy the same liberty he has just bestowed upon the press. He will not rest until Italy is perfectly free to do exactly as he wishes." —July 16, 1923.

qualities in the enemy; for articles not sanctioned by the pre-censorship; or for articles giving false information.

It must be evident also that all these various indiscretions and positive violations of the laws have apparently been committed by minorities, and often by papers representing very small minorities. Punishment has for the most part been the lot of the insignificant, unimportant, or unpopular part of the press, while there has been immunity for the influential newspapers that have not infrequently made the same protests and the same criticisms. Occasionally punishment has been imposed on editors connected with important newspapers who have been conspicuous for their fearlessness; but the late W. T. Stead criticised the inner circle of the Court, and Maximilian Harden was the *enfant terrible* of the Empire.

CHAPTER V

RESULTS OF CENSORSHIP OF THE PRESS

"For now we see through a glass darkly."

The necessity and even the advantages of a censorship of the press have been repeatedly set forth by authority. But both public and press have as repeatedly questioned the necessity of such censorship, while its advantages have apparently accrued exclusively to authority. On the part of the press it has been accepted only as a temporary necessity, and it has been accepted often in a spirit of resignation to the inevitable, or of sullen acquiescence, or of effusive protestations that the king can do no wrong. On the part of the public there has been silence. Since the press is the mechanism whereby likeminded persons find each other, as Jane Addams has expressed it, it is impossible under a censorship that restricts expression of opinion to know how many persons agree on certain principles,—"public opinion can not be mobilized,"—and hence concerted action on the part of a possible majority is prevented. It must be assumed, since opportunity for proof is denied, that the public is inherently opposed to censorship of the press.

What have been the results of censorship as imposed in spite of the objections of both press and public?

The first group of results concerns the enormous cost of administering press censorship and its inherent difficulties. "England has fifty censors working day and night with a great deal of press matter," wrote an Englishman midway in the war. "If a message that should be censored gets to a tired or careless censor who passes it at one A.M. or two A.M. amid a crowd of other messages, the thing is done."[1] Other practical difficulties are found in the disagreements among the censors of different countries and the lack of definite, common standards of censorship,—even the official communications issued by the War Office of one country may be suppressed by the official censor of its ally.[2] As long as America was neutral in the late war, the French government forbade the circulation in America of the sketches made by Domergue in 1915, but after the declaration of war, they were released for circulation here.[3]

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[1] "Libra," "The Press Censorship," *English Review*, March, 1916, 22: 261–272.

Other accounts of the concrete difficulties of censorship are given by T. W. Koch, "British Censorship and Enemy Publications," *Library Journal*, September, 1917, 42: 697–705; E. F. Wood, *Note-Book of an Intelligence Officer* (1917). At that time the censorship in England was costing about $2,500,000 annually.

The question of the effectiveness of a military censorship is scarcely an open one. However optimistic may be the reports in regard to remote campaigns that are passed by the censor, no deception is possible in regard to conditions that are observable at home. It matters little that defeats are censored by the country defeated. Victories are never censored and hence sooner or later the defeat is known. The effectiveness of a military censorship must be questioned when so many other channels besides the press provide a means for the exchange of news.

The difficulties in the satisfactory enforcement of any system of censorship in time of peace and war alike are enormous, and they seem to be inherent. It is almost inevitable that censors shall be over-rigorous to-day and temporizing to-morrow; that one censor will pass unquestioned news that another will reject *in toto;* that their course will always seem capricious and vacillating to those who do not understand their policy; and that it seems open to question whether they themselves understand it or at least are able satisfactorily to explain it to others.

Another group of results concerns the effects on the press itself and on the general morale. One of the worst things about the censorship is, as David Lawrence has said, "the state of mind created by it. If at the outset of the war the Government virtually announces that it does not trust the press, the latter will naturally feel reluctant to trust the Government. . . . Certainly the amount of antagonism being bred between the press and the Government at a time when sympathetic cooperation is so vital is not going to help the United States win the war."[4] The very spirit of censorship looks backward to a time when the watchword of all progressive movements is co-operation. There is also a suspicion that secrecy not only impairs public confidence and creates distrust, but that that government most favors the establishment of a censorship that has the most to conceal, while "that chancellery is most believed which seeks to conceal the least."[5]

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[2] The daily press of August 19, 1914, gave illustrations of lack of agreement between the official English and French censors.

[3] New York *Tribune*, May 27, 1917.

The state of mind that the censorship created in the army itself was not less detrimental to its morale than it was to the morale of the press,—even the Chief of Staff of the United States army condemned the rigid censorship as detrimental to the courage of the army[6] and there was constant complaint in England that the censorship was creating a bad spirit in the army. The censorship also forgot that the spirit of the country as a whole is quite as important as is the morale of its fighting men,—[7] "War silence is killing the wives of soldiers," said more than one newspaper during the war.[8]

Censorship in its very nature is founded on suppression, deceit, concealment, and evasion, and its ultimate harm is wrought against the side using it rather than against the side of the enemy. The very arguments used in support of a censorship are turned against it by its opponents. If authority believes that the censorship should be used to prevent discouragement, the opponents of authority believe that under an absence of censorship positive encouragement may be given both the troops and the civilians at home. It always operates, as has been said, "not merely to prevent the enemy getting news which it was highly desirable should be kept from him, but to suppress news which the British public has every right to demand." [9]

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[4] New York *Evening Post*, May 5, 1917.

The New York *Tribune* found the vice of a proposed censorship bill that it tried "to stigmatize as espionage a mere publication of news or a mere expression of opinion."—May 7, 1917.

[5] F. R. Martin, in "Report of the National Conference on the Foreign Relations of the United States," *International Conciliation*, December, 1917, No. 121.

It is interesting to note that the Conference was attended by more than fifty representatives of the daily, weekly, and monthly press and of the different news-collecting associations, and that the Conference was convinced by the argument of Mr. Martin of the unwisdom of the censorship of the press, "save as to the publication of military and naval movements."

[6] New York *Times*, March 2, 1918.

[7] New York *Tribune*, March 28, 1918.

[8] New York *Times*, August 30, 1914; New York *Tribune*, November 17, 1914.

Even in Germany where the censorship was apparently accepted with less general protest than in some other countries, the statement was made, after new regulations interfering with the press, that for the first time since the war the press was beginning to affect adversely German confidence.—New York *Times*, July 4, 1917.

There is also always the danger that under a censorship a great part of the press may fall under the control of one person, and while it has been facetiously proposed that "a Sherman Act to prevent the monopolizing of public opinion might at least be considered," [10] the present status of the Sherman Act scarcely warrants the jest. Any censorship of the political press must produce the opposite extremes of adulation and flattery on the part of the most timid representatives of the press, and of irritation and exasperation on the part of its bolder spirits. A vicious circle always ensues,—censorship breeds conspiracy and conspiracy results in a still more rigid censorship.

The morale of the censor himself, if the term is not equivocal, is undermined by his own deeds. He is sometimes called on to disseminate falsehoods, but "the dissemination of falsehoods, or the equally reprehensible distortion of facts, no less than the premature disclosure of movements or plans, is so fraught with dangerous consequences that all right-minded men agree that the greatest care should be observed in this matter." [11] If the half truth is often the equivalent of falsehood, the half censorship is equally productive of harm. More than one correspondent found the censorship during the war "a censorship against pessimism," while "the absurd optimism was still uncensored." Thus a reaction against America began in France because "the newspapers at home and even the correspondents at the front have been allowed to talk too big." [12] In England, as well as in America, letters sent home from soldiers at the front often contained accounts of defeats of the enemy in battles that never took place. These were the letters written by boastful or jesting soldiers, and published in local papers in a spirit of pride in what "our boys" have done, or to gratify admiring friends. This "absurd optimism" also went uncensored for a time while casualty lists were censored and thus the censorship became a two-edged sword. But the censor himself could not be censored either for optimism or pessimism.

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[9] W. Le Queux, "The Perils of Censorship," *Britain's Deadly Peril*, pp. 69–80.

[10] "The Press and the Public," *The Economist*, December 4, 1915, 81: 926–927.

[11] Cited by J. M. Lee, from an (unnamed) official document published after the Spanish-American War.—"The Censorship of the Press," *The Bellman*, September 21, 1918, 25: 325–326.

[12] Heywood Broun, New York *Tribune*, January 6, 1918.

Occasionally a censor may win a word of approval from a press correspondent as when Melton Prior wrote of a press censor in the Egyptian campaign of 1882: "He was a charming man, and had that delightful knack of making each correspondent believe, as he presented his copy or telegram for perusal, that he was the only one in whom he was interested and whose telegram was correct in every detail."[13] But more often there are personal misunderstandings that leave bitter feelings.[14]

An inherent inescapable difficulty with censorship is its negative, unproductive character. Its enforcement demands the time of large numbers of capable persons who ought to be giving their energies to constructive work, and it is little less than tragedy that men of unusual gifts and of positive achievement, like the late Sir Edward Cook, have been compelled, howsoever willingly, to sacrifice themselves to negation. In essence it represents a somewhat crude unintelligent state of mind akin to the mentally immature minds of those parents whose idea of parental discipline is that of a recurring series of "don'ts." The result is the repression that dwarfs instead of the encouragement that develops.

Another difficulty especially irksome to the press has been described by a Russian journalist, Alexander Herzen, who once said that the censorship was a web which caught small flies, but which big ones broke through.[15] "You can't expect to say everything a great and powerful paper would say," was the remark of a cynical official to the editor of a radical paper with a limited circulation. The great complaint has been that all censorship has tended to discriminate against small newspapers, not against those of wealth and of great influence. During the recent war the question was not infrequently asked why censorship should not be enforced against papers of the Northcliffe type as well as against those less well known, or, why the freedom of the press accorded papers of that type should not be accorded all others.

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[13] Melton Prior, *Campaigns of a War Correspondent*, p. 209.

[14] Melton Prior also well illustrates this when he writes of a misunderstanding with another censor at the close of the campaign because he had sketched Arabi Pasha in prison against the express orders of the censor. Prior asserted he had never heard or received such orders, and was proved to be innocent, but the misunderstanding was never removed on the part of the censor.—*Ib.*, pp. 222–223.

A serious result of the censorship is that in default of news permitted circulation by the censor and in the face of an insistent demand for news on the part of the public, glaring headlines are used and many rumors are everywhere disseminated,—"a more rigid censorship results in a larger crop of wilder rumors." Thus an over-rigid censorship defeats its own ends in that the result is the circulation of unfounded rumors in the place of reliable news. The unscrupulous newspaper, deprived of what it considers its just dues, does not hesitate to draw on its invention and to publish, as facts, probable governmental policies, and prospective military campaigns,—statements that can be only the figments of a distorted imagination.

Not only does censorship prevent the publication of news, some of which at least is presumably unobjectionable,—but its very existence fosters the rise of reports that flourish like banyan trees. The censor must always be under the suspicion of concealing much that the press and the public wish to know, even when there is nothing to conceal,[16] and there is more danger of a panic caused by unconfirmed dangerous stories than there is from the statement of absolute sobering truth.

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[15] H. S. Edwards, "Mr. Katkoff and the Moscow Gazette," *Fortnightly Review*, September, 1881, n. s. 42: 379–394.

[16] The daily press in America published early in September, 1914, accounts of the movement of Russian troops through Scotland for service in Belgium. Travellers returning from England congratulated American papers on their securing this "piece of genuine news which the censors absolutely prevented from being printed in England," and commented on its being "quite odd for Londoners to get their first news of what has happened from New York." See, for example, the New York *Times*, September 6, 12, 1914. As is now well known, no such movement of troops took place and there was therefore nothing for the censors to suppress, yet they incurred the blame of depriving the press of important information.

An invaluable work for the examination of legends perpetuated through the press is that of Fernand van Langenhove, *The Growth of a Legend*, 1916.

This, in part, explains the grasping at straws that resulted in the wide circulation given the rumors of the Angel of Mons, of concrete foundations for guns reported in England, and similar tales. This in turn leads to a lack of confidence and to a positive disbelief in the authoritativeness of the press that is demoralizing alike to the press and to the public. A leading representative of the weekly press sagaciously remarked that in time of war persons should "exercise a discriminating skepticism and repress their idle curiosity."[17] But the suggestion if seriously accepted and persistently acted on would in the end work irreparable harm to all parties. One of the most serious injuries the censorship works is that of undermining the confidence of the public both in the press as a purveyor of news and in the wisdom of the censorship. "Truthfulness is a matter of intellect as well as a moral quality" wisely says A. F. Pollard and when confidence in the intellectual truthfulness of the censorship is impaired the results are disastrous. A profound truth was masked by a jest when the New York *Evening Post* observed that "the most magnificent feat of arms as yet recorded in the European theatre of war is not the German capture of Namur, or the Russian triumph at Lemberg, or the splendid retreat of the Allies from Belgium, or the shattering of the German offensive on the Marne, but the total annihilation by the official British press bureau of an entire Russian army which came from Archangel to Ostend by way of every British port that readily occurred to the imagination. Anywhere from 70,000 to 300,000 Russians, all of them six feet tall and more, have thus been swept out of existence."[18]

Another evil result of the censorship is its capacity for suppressing criticism and thus, under the guise of preventing knowledge of military affairs, protecting official inefficiency from the penalties of incompetency and stupidity. It has been well said that the press should be censor of the government rather than the government the censor of the press.[19] Every effort was made by authority to discredit the criticism of the London *Times* in publishing the letters of William Howard Russell concerning the shortcomings of the home government in its conduct of the Crimean war,—the *Times* editorially was discreet in its expressions of opinion.[20] Yet the criticisms of the great war correspondent were most salutary in directing public opinion to the changes that should be made by the administration. A political censorship in England at that time would have made such criticism impossible. To William Howard Russell himself it seemed that "there is a wide distinction between the publication of news which is known to the enemy as soon as to the friends of the transmitters, and the utmost freedom of expression concerning the acts of the Government or the conduct of past events; but it will be difficult to establish any rule to limit or extend the boundaries to which discussion can go without mischief, and in effect the only solution of the difficulty in a free country seems to be to grant the press free license, in consideration of the enormous aid it affords in warning the people of their danger, in animating them with the news of their successes, and in sustaining the Government in their efforts to conduct the war." [21]

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[17] "A Plea for Contented Ignorance," *The Independent*, April 28, 1917, 90: 193–194.

[18] New York *Evening Post*, September 15, 1914.

A censorship also means that the innocent suffer with the guilty. During the war, neutral territory could not be used as a base for transmitting military or naval information to belligerents, and hence countries not actively participating in the war suffered inconvenience and loss through no fault of their own.

Still other difficulties are found in the inevitable prolongation of the censorship long after its expiration has been promised and expected. It was more than eight months after the termination of the war before the cable censorship was lifted.[22] The discussions of the annual meeting of the National Association of the

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[19] Crammond Kennedy, *Liberty of the Press*, pp. 18–19.

[20] "From what Clarendon said to me it is evident that *he* does not think much of Raglan, but it would never do to express any doubt of his ability or of his measures in public. Delane told me yesterday that he had received letters without end in this sense, and that he entertained the same doubts that I did, but should take care not to give utterance to them in the 'Times'." —Greville, December 5, 1854. *Memoirs*, VII, 206.

[21] W. H. Russell, *My Diary North and South*, p. 149.

[22] New York *Times*, July 23, 1919.

German Press in 1916 "largely centered on the gradual 'dismantling of the political censorship' promised some weeks ago by the Vice-Chancellor Helfferich."[23] More than two years later the Imperial Chancellor von Hertling announced that changes in the censorship would be made before November, 1918, that would meet all just complaints,[24] but among the press regulations published later was one forbidding all adverse comment on conditions in the occupied area.[25]

Another result of the censorship has been that while in times of peace there is wide variation among different nations and wide scope is given to the individuality of each, the censorship levels all to a dull uniformity of compulsory ignorance and indifference in regard to other nations. Even in a single country as in Germany "the underlying idea [of the censorship] is to show the enemy that sixty-seven million human beings have the same opinion on big and little matters; expressions of contrary views must not be allowed to come to the surface."[26]

The result of this on the public has been the general stifling of public opinion. "Right and left the foe is listening," said Maximilian Harden; "but nowhere can he detect the voice of the German people." Nor did this condition vary elsewhere. In an open letter sent to England through a special messenger, Charles P. Trevelyan, a member of Parliament, wrote during a temporary visit in America: "It is that about which I chiefly wish to write. Americans must by this time be chary of believing the press of the belligerent countries. But there is nothing about which less truth is told than about the real feelings of the belligerent peoples. The newspapers only represent what they would like them to be and the more imaginative section of the ruling class still think they are. But that picture bears not the slightest relation to the truth."[27]

It is possible that the newspapers of belligerent countries represented not what they wished to represent, or real situations, but what they were instructed by authority to represent. "Something like an order of the day was issued [to the German press] to the effect that in all newspaper discussion of the Lusitania disaster, it was to be taken for granted that she was an armed auxiliary crusier."[28] Later a Berlin correspondent wrote that the censorship had "gradually assumed more and more jurisdiction over utterances on purely political subjects," and that "a complete rule by the military over the civil life of Germany, and the expression of the will of its people, [had] been established." "Every discussion of the veils of the censorship on the floor of the German and Prussian Legislatures," the writer continues, "is a censored one, in which the delegates are kept from uttering their full meaning by the reminder that this or that subject 'may not be openly discussed'."[29] The *Frankfurter Zeitung* protested against the "rectification" by the censor of cables and letters sent from Germany by foreign correspondents, saying that it was the duty of correspondents to inform their papers of what was going on and not what was pleasing to the government. It was conceivable, it thought, that in Washington, for example, it might be believed through the censored press that everybody in Germany agreed completely with the government, whereas it was often opposed by public opinion and by influential individuals.[30] Immediately after the war began, every newspaper was told that it must use without change all the articles and news items furnished by the Wolff News Agency or not use any of them,[31]—a censorship that assuredly merged into regulation of the press. General von Ludendorff, in speaking of the headquarters on the Eastern front, has recently said: "I gave all newspapers clear instructions to discuss events in Germany in a spirit acceptable to the Imperial Government," and that "in the main, my request that military events should be discussed from this or that point of view was fulfilled."[32] It is again a hair's breadth that separates pre-censorship from positive regulation of the press.

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[23] New York *Times*, September 26, 1916.
[24] New York *Tribune*, September 28, 1918.
[25] New York *Tribune*, December 21, 1918.
[26] Maximilian Harden, New York *Times Magazine*, July 23, 1916.
[27] *The American Friend*, December 28, 1916.

The impossibility of carrying out a prohibitive censorship is shown in the success of the attempts to evade it. "As the political censorship becomes more and more severe," says a special correspondent, "newspapers and speakers have become more and more adept in insinuating those views which they are not allowed to express openly." [33]

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[28] New York *Evening Post*, June 3, 1915.

[29] G. Hirsch, New York *Evening Post*, March 23, 1916.

[30] Cited in New York *Tribune*, March 31, 1917.

[31] G. Miller, in New York *Tribune*, July 6, 1917.

[32] *Ludendorff's Own Story*, I, 242, 442.

But ability to circumvent the censor has by no means reconciled the press to the existence of the censorship. That "censorship is a military necessity" has been iterated and reiterated in every war since censorship of the newspaper press began, but since freedom of the press has seemed even more a paramount necessity, if it is necessary to forego either censorship or war, it might seem the part of wisdom to forego war in the future and attain true freedom. That it has failed as a military necessity has been the opinion of more than one competent judge. Representative von Schulze-Gasdernitz in a debate on the budget said in the Reichstag that military censorship had done more harm than all the newspapers in the country could have done had they been free from restraint.[34] At the annual meeting in 1916 of the National Association of the German Press, the presiding officer, Chief Editor Marx, said that "one may consider that the discussion of war aims is harmful. We all, however, are of the opinion that to forbid it is still more harmful;" that "the usefulness of the press is only possible with freedom of the press;" and that "the moment when officialdom takes the press in hand the press sinks into insignificance, and it is then a matter of complete indifference whether a greater number of papers or only one normal paper is published." [35] And to the argument that censorship of the press was necessary in order to present a united front to the enemy, the friendly advice was given at the same meeting that the struggle "for the freedom of speech and of the press deserves the serious consideration of Americans as of greater importance than many indecisive battles."

It is perhaps true that a part of the unfortunate results of the censorship comes from the difficulty, even the impossibility, of finding satisfactory censors. War departments have always believed that retired army officers should be used as censors because of their knowledge of military affairs, and in America army officers proposed a plan for the control of the press in time of war.[36] But journalists have believed that if censorship must needs be, the censors should be taken from the ranks of the press because of their knowledge of the requirements of journalism. This was the opinion of Lord Robert Cecil who told the Association of Foreign Press Correspondents in London that trained journalists were better qualified to decide what might safely be published than were others untrained in journalism.[37] In Germany complaint was made that, instead of appointing as censors journalists who knew the business of journalism, any man from any occupation might be selected,—in one instance a chemist was appointed who admitted that he had never taken the slightest interest in newspapers or in politics. "The right man was never in the right place" was Dr. Mühsam's explanation of the failure of the censorship in Germany.[38]

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[33] G. Hirsch, New York *Evening Post*, March 23, 1916.

[34] *Frankfurter Zeitung*, March 1, 1918. C.

[35] New York *Times*, September 26, 1916.

In the beginning of the war, censors in Germany were often appointed from those holding consulships, but few of these knew any language but German, none was familiar with newspaper work, or had any knowledge of military or political affairs. When it was seen that censors thus appointed were inevitably in conflict with foreign correspondents, the German Foreign Office created the Central Bureau for Foreign Service. This flooded neutral countries with photographs and with literature written from the German standpoint, merely translated into Dutch, Swedish, or Roumanian,—a policy that verged dangerously near active propaganda and that damaged rather than aided Germany. Its failure both as censorship and as propaganda was indicated by the message of the Dutch correspondents that Holland desired real news. The Neutral War Press Bureau was then created to facilitate the transmission of news from Germany to neutral countries,[39] but this, in turn, was soon at odds with the

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[36] New York *Times*, January 3, 1916.

[37] New York *Times*, February 19, 1916.

See also F. R. Martin, "Newspaper man should direct censorship," reprinted from *The Editor and Publisher*, April 14, 1917.

[38] K. Mühsam, *Wie Wir belogen wurden*, p. 15.

[39] The detailed regulations made for the guide of foreign correspondence are given in the New York *Evening Post*, November 18, 1915.

Foreign Office and the correspondents again suffered since they still found it impossible to write anything,—constantly one censor passed an article while another refused the same article. Real efforts were "made by the German authorities to put newspaper men in possession of real news, but their efforts as often as not have been partly or entirely nullified by the censorship, against which every neutral correspondent in Berlin has complained repeatedly,"— the censorship was working at cross purposes with the very officials able to adjust difficulties.[40]

At the time of the entrance of America into the war, the censorship in Germany was more complete than it had been at any previous time since the opening of the war,—a condition that was attributed to the serious internal condition of Germany and of Austria.[41] The Germans did not have the complete account of President Wilson's reasons for entering the war; only condensed and expurgated versions of the President's message were published in Germany and the full text when received read "almost like another document as compared with the earlier version."[42] This of necessity made much more difficult the work of those who in both countries still hoped that war between them might be averted.

A censorship once begun, it is difficult to modify it. If its first intention is to prevent the publication of anything prejudicial to the national cause in time of war, it quickly passes to a suppression of much that in no way concerns military affairs, and is made to include all criticism of political policies, diplomatic questions, and general foreign relations. Censorship of the press in all directions is followed by a censorship of the sources of supply on which the press depends, and censorship of the mails, telegrams, cablegrams, and parcel post becomes apparently inevitable.

Difficult as it is for the historian to deal with news that has been censored, a military censorship, if it could be confined to its initial object of keeping the news of military movements from the enemy, need not be a permanent disadvantage to the historian. A military censorship is usually of limited duration; the news permitted to pass can later be checked up with official reports and with private letters and journals; in spite of the censorship, the historian is reasonably sure of securing ultimately a fair degree of truth in regard to military affairs. But a political censorship, as is practically every other form of censorship, is unlimited in duration, and material is often lacking, or is unavailable, for comparing the reports received through the censor with other contemporaneous records. The underlying difficulty with the censorship, however, is that it is never possible to confine it within the narrow boundaries of a military censorship. The fatal step towards censorship once taken, there is no turning back. In another way it may be said to resemble the peculations of the clerk who abstracts small sums from the cash drawer, always meaning to pay back the money taken but never doing so. The censorship is always to be removed when the necessity for it has passed, but it lingers long after the ostensible excuse for it has gone and the scars it leaves when finally abolished seem a permanent disfigurement on national life. More than once the censor has been reminded that he owes a duty to the press as well as to authority, that the press has a very real and justifiable claim upon as broad and generous an interpretation of censorship as is possible under existing circumstances and as is reconcilable both to the needs of the country and the demands of publicity,[43] but there has been little evidence that the warning has been heeded.

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[40] Berne correspondence, New York *Tribune*, February 20, 1917.

[41] New York *Tribune*, April 24, 1917.—German papers were censored before leaving the country (New York *Tribune*, April 27, 1917), and there was also complete censorship of all domestic news April 30 over May Day. New York *Tribune*, May 1, 1917.

[42] New York *Tribune*, April 6, 1917.

One of the dangerous results of the censorship is its tendency to pass from its negative function of suppressing news to the positive one of furnishing news and of transmuting into prismatic colors whatever passes through it. The German press was warned not to record the rejoicing over the sinking of the *Falaba*, with the consequent loss of life, in order not to make a bad impression on neutrals.[44] The censorship passed articles on war goals favoring the annexation of Belgium and suppressed those opposing it,[45] and it was constantly charged with discriminating against the social democratic press. It was in at least one case aided and abetted by hospital authorities who refused to allow free copies of the *Volksboten* of Weissenfels to be sent to the soldiers in the hospital.[46] The publication of German losses was forbidden by the censor.[47] *Vorwärts* made a bitter attack on the methods of the censorship and gave a stenographic report of a speech in the Reichstag by Representative Fischer, a Social Democrat, who complained that while the Conservatives and the National Liberals were permitted to discuss war goals publicly, the Social Democrats were not allowed to do so even in closed meetings. The manuscripts of their addresses must be submitted to the police authorities at least seven days before meetings were held, and the censorship was unbearable. The protest was made against the censorship of opinion, not of news, and he found added ground for complaint in the substitutions made by the censor.[48] The statement was repeatedly made that all the attacks made on the censorship in the Reichstag and in the Prussian Diet were directed against the suppression of opinion, not of news,—"the censorship has gradually assumed more and more jurisdiction over utterances on purely political subjects."[49] But the statement was made with equal frequency that all these discussions "arrived nowhere," although they brought out "case after case of censorial arrogance and censorial ineptitude."[50] It followed as a corollary that the people were not allowed to learn what had been said in the Reichstag,—a distinctly unconstitutional measure since the Imperial Constitution explicitly stated that correct reports of parliamentary proceedings were allowed.[51] In spite of this, the cutting of part of a speech in the Reichstag, criticising the Imperial Grain Board, was ordered by telegraph from Berlin.[52]

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[43] *Frankfurter Zeitung*, November 16, 1914, cited by New York *Times*, December 20, 1914.

[44] New York *Times*, April 8, 1915.

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[45] *Vorwärts*, March 30, 1915, cited in New York *Times*, April 18, 1915.

[46] Some of the army commands had special censors for examining newspapers sent soldiers.—New York *Tribune*, April 14, 1918.

It was stated in the Reichstag that in the army only Pan-German newspapers, pamphlets, and circulars were allowed, all others being forbidden.—New York *Tribune*, July 27, 1918.

[47] New York *Evening Post*, June 11, 1915.

[48] *Vorwärts*, August 28, 1915, cited by New York *Times*, September 17, 1915.

[49] New York *Evening Post*, March 23, 1916.

[50] A Berne correspondent protested against the severity of the German censorship, which was very effective since no spaces were left blank, saying that there was no relaxation of military and political censorships, although in economic lines some modification had been made and it was then possible to discuss food and similar conditions.—New York *Tribune*, February 20, 1917.

When it was proposed by a Reichstag committee that the censorship should be confined to military affairs and that there should be no censorship of discussions of war aims and peace aims, the Under Secretary in the Ministry of the Interior replied in effect that "it would never do." [53]

Repeated complaints were made that all liberty of discussion was suppressed by the military authorities who were using their influence in favor of the Pan-German annexationist policy of the army leaders,—"they snap their fingers in the face of the Reichstag and the so-called government of the German Empire." [54] The German Chancellor barred the circulation of the *Arbeiter Zeitung* in Germany because he "considered it every day more and more a perverted newspaper." [55] In the Reichstag, Representative Bauer, a socialist delegate, attacked the censorship on the ground that it was "becoming ever more the instrument of the Annexationists." [56] The Minister of the Interior made the usual denials, but admitted that two hundred and four newspapers had been suppressed during 1917 and seventy-three had been suppressed during the first five months of 1918.[57]

During "three memorable sessions of the Reichstag devoted to the autocratic doings of the military censorship and the military governors of the various parts of the country," deputies from all parts of Germany took part in the discussion,—more than twenty deputies were named in the cable dispatches, representing not fewer than ten of the different political groups in the Reichstag. They all contributed illustrations of the harmful results of the censorship; of the severe punishments meted out to newspapers for their attacks on the Pan-Germans; of the indulgence accorded the Pan-Germans; of the extraordinary severity shown even in matters that had no relation whatever to military questions; of the re-writing of articles in various papers by the censor to please his own taste and ideas; of the false statements made concerning the results of bomb explosions in Paris and of the air raid on Cologne. "What a reputation is given to the press," exclaimed one indignant deputy, "when it is forced to publish such false reports!"[58] Once more, there is assuredly evidence for the statements that the "German authorities lack confidence in the German people" and that "the censorship regards itself as divine."

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[51] Constitution, Article 22.
[52] G. Miller, in New York *Tribune*, July 6, 1917.
[53] New York *Times*, November 30, 1917.
[54] New York *Tribune*, April 14, 1918.
[55] New York *Evening Post*, May 15, 1918.
[56] New York *Times*, June 7, 1918.
[57] *Idem.*

Even after the nominal close of the war, memories of the censorship continued and it was impossible to forget that editors had been forbidden under penalties to discuss any subject relating to the war without the approval of hundreds of government censors operating through many newspaper bureaus and various branches of the Government; that only such news was published as the militarists thought would favorably affect public opinion; that descriptions of the devastation in Belgium and France were forbidden, as was the use of the word "ruthless" in allusions to the U-boat warfare, and accounts of the closing of factories, shortage of food and coal, poor crops, the employment of prisoners in mines and munition plants, reports of street disorders, labor unrest, and strikes.[59]

Censorship of the press in time of war is inevitably and inextricably bound up with the suppression of newspapers that have criticised the government or the war office. All criticism is deemed unpatriotic and every newspaper is expected to subscribe, at least temporarily, to the spirit of the dictum "Our country, right or wrong."[60] Adhesion to the principle is even demanded of press correspondents temporarily in a foreign country.[61]

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[58] New York *Tribune*, July 27, 1918.

[59] W. Mühlon, in New York *Times*, April 6, 1919.

[60] Every country at war has furnished illustrations of papers suspended by government for the crime of free speech. In countries where freedom of the press has always been limited or has never existed such suspensions have not been surprising, but where freedom of the press has been a cornerstone of political freedom, such action has inevitably brought discouragement and ill-concealed protest.

The visible evidences of censorship found in the columns left blank by the deletions of the censor serve only to whet the curiosity of eager alert minds in a country where, as in France, the percentage of literacy is high. The visible evidence in the columns blackened by the inked roller of the censor probably have little effect in a country where, as in Russia, the percentage of literacy is low and where, as a result, the readers of the press are comparatively few. A pre-censorship of the press may awaken less hostility than do these subsequent external manifestations of it.

The press itself has naturally been the first to point out this ineffectiveness as well as the positive detriment that results from censorship in time of war. The French press in particular has seemed unanimous in its demand that the public should be trusted, and that the news of reverses as well as of successes should be published. It has pointed out the futility of claiming successes when the truth must quickly be known; it has shown that editors who are reprimanded, fined, imprisoned, or court-martialed, whose papers are seized, suspended, or have their pages deleted are exasperated rather than made penitent; it has insisted that the persistent obliteration of political criticism inevitably weakens the support that the Government has a right to expect from the people; and it has shown that public opinion, "if supplied officially with the widest possible information within the limitations of national defense" will give the Government enthusiastic support instead of grudging obedience. When arguments have seemingly failed, the press has everywhere had recourse to ridicule, irony, and satire. "Here is a standardized war dispatch," says a facetious editor. "We advise our readers to cut it out and post it in a convenient place. When too busy to read the war news, peruse it:

"BERLIN (or Petrograd, or Vienna, or Paris, or London),—1914.—The situation at the centre continues unchanged. Our troops have successfully resisted the utmost efforts of the enemy. On our right the enemy advanced against us in force two days ago. The result was his utter disorganization and the capture on our part of two army corps, numbering 40,000 prisoners, with arms and ammunition. After this brilliant coup our army fell back on positions previously selected, and at this writing, reports slight advances. It is anticipated that by the end of the week we shall be as far advanced as would have been the case had we won no victory at all. On our left we have evacuated the city of Zyxwvutsrq, of no strategic value, which was immediately occupied by the enemy. His troops marched in, exposed to a withering fire; it is estimated that his casualties numbered 5,000. Preparations are under way to give him a half-dozen other towns on the same terms. The War Office is much encouraged."[62]

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[61] The English correspondent of the London *Times* was expelled from Russia because of his criticism of the action of the Russian government in the Kishinev massacres.—Daily press, May 28, 1903; "The Russian Bureaucracy," *The Spectator*, June 6, 1903, 90: 885–886.

Other difficulties connected with the censorship have been suggested by the press. It has justly complained that in difficult international situations, as in those between America and Mexico, the rigid censorship exercised by those who controlled all channels of communication in Mexico prevented everything said by President Wilson being known in Mexico, and therefore prevented the existence of an intelligent public opinion in Mexico. All this, as suggested by a special correspondent, added "enormously to the burden, to the gravity, and to the complications of the President's task and responsibility."[63] When during the recent war the rumor was prevalent that Germany was getting news by way of Mexico, it was rejected by the press as absolutely groundless. Since the censorship was complete, the Allies absolutely controlling the cables, the question was not how to get news of importance to Germany into Mexico, but how to get it out. Since this was practically impossible, no evidence to substantiate the rumor could be given.[64]

This is but a general statement of the difficulties encountered under a system of censorship,—each particular country had in addition its own particular heartburnings. In England, the censorship seemed extremely rigid. The press was forbidden to feature the work of special divisions or battalions, or individual officers or privates. But with the entrance of the colonials into the war, the policy changed and there was full credit given to the feats of the Canadians and the Australians, to the work of the Scotch volunteers and the Welsh sappers and miners, and thus the impression grew that English troops were not really in the war at all. This inevitably led to the complaint that censorship "starved" the press of news that would give a stimulus to recruiting fervor; that it led to combinations to raise the price of food; that "the Press has supported the Government in dark hours, but the Government responds with threats, suppressions and prosecutions;" that the censors were not experts but selected in large part for political reasons; that they controlled the news columns but made no effort to control editorial policy; that the censor drifted from things military to things political; that the press alone had the courage and the independence to warn the country of the German peril; that the Liberal Government had scoffed at the warning but when the war began it at once turned about and throttled the press,—in a word, "the British lion was fighting in blinkers." [65]

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[62] St. Louis *Republic*, cited by the New York *Evening Post*, December 19, 1914.

[63] E. G. L., New York *Evening Post*, April 23, 1914.

[64] Philadelphia *Public Ledger*, August 29, 1917.

In spite of censorship of mails and prohibitions affecting them, a mass of material has been available for a study of the German press, before, during, and after the war, and this shows the special difficulties in Germany. It is impossible to examine any considerable portion of this without having a profound respect for the vehement, repeated, and insistent protest against the censorship made in the Reichstag throughout the war and for the demands made by the press itself for relief from the burden of censorship. In its attitude towards authority, the press in Germany and the representatives of a considerable part of Germany in the Reichstag have but repeated the history of the press and of free peoples elsewhere. In the beginning, authority has everywhere imposed a censorship on the press; the results of this censorship have been unsatisfactory to press and people, and protest against it has been the first step in securing positive freedom of the press.

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[65] The existence of censorship was everywhere obvious in British newspapers. Many articles on the subject appeared in British weeklies, monthlies, and quarterlies. *Britain's Deadly Peril* (the censorship), by W. Le Queux, was published in 1915, but its sale forbidden,—*Literary Digest*, May 22, 1915, 50: 1238–1240. An address on "The British Censorship" by E. P. Bell, in London, November 19, 1915, gives the main points against censorship, and a reply is given by "Libra," "The Press Censorship," *English Review*, March, 1916, 22: 261–272. The best description noted of the workings of the censorship office is that given by T. W. Koch, "British Censorship and Enemy Publications," *The Library Journal*, September, 1917, 42: 697–705. The irreconcilable differences between the press and the censor are best stated by E. T. Cook in an interview given to the Associated Press on "The Press Censorship" and published in London, 1916.

No censorship that has as yet been devised has, as far as known, failed to irritate both the press and the public; it is at least an open question whether a greater irritation is caused by the strict enforcement of censorship or by an intermittent policy of restriction and laxity, and no censorship has as yet accomplished what it was organized to accomplish.

It must be evident that censorship of the press, in whatever form it may be applied, is a serious limitation on the authoritativeness of the newspaper as historical material. But for this lack of authoritativeness it must also be evident the press itself is not always responsible. The charge is repeatedly made, especially in times of war, that newspapers publish colored, doctored, partisan, unfair news; yet if this charge can be sustained, it is the censor and the government behind him that must be held accountable, not the newspaper. News is the very breath of life to the press of any country and what the press asks is the most untrammeled opportunity to collect news and to publish it. The same statements are true with reference to the censorship of political news. Wherever censorship of political news prevails, newspapers, rather than suppress political news, have often run the risk of suspension of the paper and of arrest, fine, and imprisonment of editors and owners. Punitive measures have frequently been adopted towards the members of the press who defied the restrictions placed on the publication of political news, and who have criticised adversely government officials, or policies, yet these have as repeatedly resumed publication and continued the same policy of giving in their columns the political news necessary for informing the public.

In all this question of the results of the censorship of the press it is evident that it does not give satisfaction to the press, to the public, or to the historian. It would seem, therefore, that at least one element—authority in the person of the censor—should be content. But not so! The censor himself has his own heart burnings and feels that his efforts to save the country have not been appreciated. When the naval censorship in England was removed, November 20, 1918, a notice of the removal was cabled to all the English colonies and dependencies. But the naval censor later wrote that "for some reason, best known to the Press, all the newspapers, with two or three exceptions, notably the *Daily Telegraph* and *Morning Post*, inserted the notice in small print, and most of them in that part of the paper in which it would be almost sure to escape notice!" And he adds, "I really believe they resented losing their whipping-boy in the shape of the Naval Censor. They might at least have had the decency to say, 'Well, at all events, this irritating restriction on our freedom is removed at the earliest possible moment,' but they did not do any such thing." [66]

It has been seen that the censor has been everywhere alert to stop the supply of news at its source and that he has given each particular country its own set of grievances to lay up against him. Is it possible to find any common collective group of principles for the guidance of the historian that will enable him to determine how far the press is limited for his use by existing censorship?

The censorship itself has had a somewhat definite conception of the functions of the censor. He must cut out everything that gives the enemy information about whatever he particularly wishes to know; he must delete everything that tends to depress the public or the troops, as well as everything that tends to discourage recruiting, and the subscription to government loans; he must at all times magnify the agreeable, and minimize the disagreeable; and he accepts as basic the statement that "the censorship is to be used for the purpose of winning the war and for no other." This is a minimum statement of the duties of the censor in his dealing with military affairs. How far can it be accepted as reasonable?

It is at once evident that even this minimum censorship can not be acceptable to the historian. In its operation it involves a

[66] D. Brownrigg, *The Indiscretions of the Naval Censor*, p. 135.

double and contradictory vocabulary. The censored reports of opposing sides may be compared and it is impossible to determine from them where victory or defeat has lain. With the censorship used "to win the war" no other course is possible, and Arnold Bennett is probably right in saying that the press is merely conniving with the government and both with the public that does "not want the whole truth unless it is of a certain complexion. . . The newspaper that printed even the censored news with the scientific detachment of a historian would no doubt soon get its windows smashed, or at least find itself the target of a rumour that it was being financed by the enemy." [67]

Censorship advances and never retreats,—hence one of the first complaints is of its failure to make the most of publicity. "The War Office has always failed to recognize the capacity of the press for good" and "the Government has always failed to make the most of publicity" have been statements repeatedly advanced. This demand for publicity has been met by the censor who has furnished news concerning the spirit of patriotic zeal in prosecuting the war against enemies, the unlimited resources of the country, the general victories gained, and the prowess of special battalions in the field. But with the publication of positive news, the censorship changes its character and becomes a press bureau charged with spreading a definite propaganda and this phase of its work must be considered later.[68] Even so, it must be evident that the censor, in changing his position, is but avoiding Scylla to be engulfed by Charybdis,—if victories are all "gallant," if the enemy is so badly beaten, prospective recruits must ask why more troops are needed; and if the country is so prosperous, civilians must question the need of greater economy. In any case, a censorship supplying the press with material on all matters pertaining to the war thereby relegates the press to a subordinate position and deprives it of all vitality. Censorship in its very essence is negative and prohibitory and it ceases to be censorship in becoming active, positive, and constructive.

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[67] Arnold Bennett, "The Public and the Censor," *Harper's Weekly*, November 28, 1914, 59: 509–510.

[68] It is significant that the English bureau remained one distinctly of censorship and did not become a vehicle of government propaganda, while the American Committee on Public Information at least incurred the danger of becoming such.—G. Creel, *How We Advertised America*, *passim*.

Military censorship does not necessarily imply that news is distorted or colored, but it does imply that news is selected,—the censor passes nothing that he considers harmful to his country, and on the other hand he passes nothing that he does not believe positively advantageous to it. Military censorship also implies that whatever has passed the censor must be printed,—the press and the war correspondent must print or send everything as it is furnished them by the censor, not only what is given, but all that is given.

The first step in censorship taken, the second is easy and political censorship naturally follows military censorship. Ministers and ministries claim immunity from criticism on the ground that such criticism will cripple the conduct of the war, and the public may quickly decide that the press that attacks the Government is unpatriotic.[69]

It is possible that the evil results of censorship would be tolerated with more equanimity were they counterbalanced with corresponding success, but the testimony seems all but universal that "what the censors accomplish is not the suppression of the news, but the delaying of it. Sooner or later the truth all gets out." [70] Near the close of the war Heywood Broun, commenting on the futility of censorship, found that much of the news of the American army in France and its first encounters with the Germans was received first from Germany, and that the potentialities of the censorship were even worse than the harm it had already done.[71] The censorship was able to keep from the public all that Philip Gibbs might have published at the time, of the brutality, the horror, the absolute iniquity of war, but in *Now it*

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[69] The London *Daily Mail* was barred from the Carleton Club because of its unpatriotic action in attacking Lord Kitchener.

The London *Nation* was refused the privilege of the foreign mails because of a leader criticising the army.

The publishers of *The Contemporary Review* notified its foreign subscribers that the British Government had forbidden the exportation of the number for December, 1916, but that it would be supplied when the prohibition was removed.

[70] New York *Times*, August 8, 1914.

[71] New York *Tribune*, January 6, 1918.

can be Told the whole ghastly, appalling situation has been described. Homer Folks' *The Human Costs of the War* would presumably not have been passed by the censor, but the evidence it presents must forever confound the censor who believes the truth can be suppressed. "Why not give the truth a chance?" was the inquiry of the *Manchester Guardian* in 1921, and the censor gives no satisfactory answer to such an inquiry.

The historian is hampered in his use of the press not only by censorship but by the varying degrees of censorship that are found in different countries, and in the same country at different times and in regard to different features of the press; in time of war, he is hampered by the lack of coordination of the censorship as exercised by allied countries, and by the double censorship exercised by the contending parties. He realizes that all censored dispatches concerning warfare must be read with extreme caution and that he must wait for the subsequent revelations made by official reports before deciding whether a defeated army retired in good order or was put to rout, and whether the contending forces were approximately equal in numbers and valor or whether one side was struggling against overwhelming odds.

The history of the press shows the efforts repeatedly made by the press itself to have the censorship of the press removed, and the occasional recognition by the authorities of the futility of all censorship. In this ultimate futility of censorship lies the encouragement of the historian.

CHAPTER VI

THE REGULATION OF THE PRESS

"Supposing the press in order, the people in their right wits and news or no news to be the question, a Public mercury should never have my vote, because I think it makes the multitude too familiar with the actions and counsels of their superiors, too pragmatical and censorious, and gives them not only an itch but a kind of colourable right and license, to be meddling with the Government."—*L'Estrange*, 1663.

"Si je lâche la bride à la presse, je ne resterai pas trois mois au pouvoir."—*Napoleon*.

"We know where Austria gets its enthusiasm for annexations."—*Arbeiter Zeitung*, 1918.

All forms of censorship have met with the vigorous and persistent hostility of the press. Even authority itself has often seemed to weary of the labor involved in pre-examination of articles or in subsequent deletions. Moreover, since the end in view has so often not been attained by means of censorship, other expedients must be used to maintain control of the press. It has followed therefore that, except in time of war or revolution, a censorship of special articles to which authority has raised objection has developed into an indefinite regulation of the press through which its general policy has been controlled. The various stages in the relation between authority and the press therefore begin with the early form of license, pass through all forms of censorship, and result in an active control of the press and a regulation of its general policy.

This general regulation of the press has taken the form of preventing the extension and the circulation of the press through levying "taxes on knowledge" as was done in England for practically a hundred and fifty years; of efforts to control the vernacular press by all imperial colonizing governments and to regulate the foreign language press wherever the presence of large numbers of immigrants has been considered dangerous by authority; of an offensive and defensive alliance between authority and advertising as has been the case in Germany. Apart from these large classes of regulation that demand special consideration, regulation of the press has included all forms of control of the business administration of the press such as control of the supply of print paper, denial of second class mail privileges, zoning systems, high postal rates, and direct purchase and ownership of papers; regulation of opinion, as in sedition laws, legislation concerning incendiary literature, espionage acts, trading with the enemy acts, and the early forms of subsidies granted to favored papers; a general disparagement of all newspapers and newspaper men,—a means of control effectively used by Bismarck; and a general curtailment of opportunity for gathering news, as in the restrictions placed on parliamentary and court reporting and in the "news quarantine" maintained in Belgium for a time during German occupation.[1] Regulation of the press becomes operative after censorship of the press has nominally ceased or is quiescent and it is not wholly inconsistent with a measure of ostensible freedom of the press.

But a gray zone lies between the black belt of absolute censorship and the white region of absolute freedom,—absolute censorship connotes prohibition and absolute freedom of the press is equally unobtainable and undesirable. This gray zone is the territory where the press is regulated by its own voluntary action, by public opinion, or by the direction of authority.

Voluntary censorship of the press exists in time of war when without compulsion newspapers tacitly agree not to publish anything detrimental to the conduct of the war, even when the material does not come specifically under censorship regulations. A part of this voluntary censorship may be explained by fear of criticism from other members of the fraternity. Even without a legal censorship, an effective restraint is placed on the press by the press itself. Any expression by the press of opposition to military registration, to conscription, to the huge debts contracted, to the sale of liberty bonds, was quickly suppressed by the press itself as unpatriotic and even treasonable.

A compulsory voluntary censorship existed in America during the recent war when rules for the regulation of the press were drawn up by the representatives of the Departments of State, War, and Navy, and of four press Associations, and although much criticised by the press[2] and observed with difficulty, they were apparently fairly well complied with until relaxations in several phases were announced. The requests that were sent out by the Committee on Public Information—eighteen in all—were made "in order that the American people may clearly understand why certain news does not appear in print [and] it is urged that these requests be printed in full."[3] Yet it is often difficult, as here, to discriminate between positive censorship that was voted down by Congress in May, 1917; trading with the enemy and espionage acts that accomplished by indirection what the defeated censorship had intended to accomplish directly; requests made to the press to observe regulations sent out by government officials; a voluntary censorship as morally binding as legislative enactments; and direct, positive regulation of the press by authority. Under other names, the rosebud of censorship blossoms into maturity.

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[1] New York *Evening Post*, March 29, 1917.

True voluntary censorship of the press is found in time of peace in the observance of the same principles of conduct that in individuals are termed good breeding, good taste, politeness, or good manners. This realm of voluntary censorship is constantly enlarging and a comparison of the most reputable part of the press to-day with that of an earlier period seems to show a great change in the direction of restraint and of kindly consideration for the feelings of others. Representatives of the better part of the press apparently are no longer guilty of the personal affronts, of the invasion of privacy, of the demands for information to which they can have no possible claim as was once too often found. Bad taste can not be restricted and good taste can not be enforced by legislation; for the progress in these directions already made, the press itself must be given the credit. For the most part, it leaves to the submerged tenth the publication of matter that offends good taste.

Public opinion exercises a very direct and growing control over the press in regard to the publication of all matters of crime, divorce, and domestic scandal. Sporadic efforts have been made to have the publication of such subjects made a matter of legislative prohibition,[4] but as yet the government has left the regulation of such publication to that exercised by public opinion and to the code of ethics of the press itself.[5] Further regulation through public opinion is exercised by labor unions in the effort to secure the union label on all periodical publications. But a very questionable form of regulating the press by public opinion has been that attempted by unofficial organizations. These have sometimes assumed to represent public opinion and have then endeavored to have the press conform to the standards they have themselves set up. Rushing in "where angels fear to tread," they have formulated definitions of subjects not susceptible of definition, and then have sought to regulate the press by the artificial standards thus individually erected.[6]

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[2] Daily press, March 25, 26, 1917.

[3] New York *Evening Post*, December 31, 1917.

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[4] G. H. Rowe in 1919 introduced a bill into the New York Assembly giving the courts the power to prohibit the publication of court news "when in the judgment of the court the ends of justice demand that the same should not be published and the court so orders; or any other official proceedings authorized by law in the administration of the law."

The bill would have resulted in giving the courts power to suppress all news dealing with criminal action, divorce action, settlement of estates and similar questions. Thus "judges could by *ex parte* proceedings and by simply issuing an order to reporters suppress all news dealing with those cases."—Poughkeepsie *Evening Star and Enterprise*, March 31, 1919.

[5] There is always the temptation to turn to legislation to regulate the evils found in the press. A few years ago a resolution was introduced into the Assembly at Albany stating that "indecent, untruthful, and scurrilous attacks upon the Roman Catholic Church had been made by various newspapers and calling on Congress to investigate the matter and suppress the use of the mails for this purpose."—New York *Times*, January 19, 1915.

[6] The National Security League, in its leaflet "A Square Deal for the Public: A Working Program for crushing the RADICAL MENACE," stated that it had on its regular mailing list about one thousand newspapers, chiefly in the larger cities and towns; in the small towns and in the rural districts the papers were best reached by "boiler-plate" or ready-to-print matter.

But since the use of "boiler-plate" can not be forced on a reluctant press, it is worthy of note that the Illinois Press Association at its latest annual meeting adopted resolutions strongly opposing the use of "boiler-plate" editorials, thus indicating a tendency towards a more independent press.—*Christian Science Monitor*, May 19, 1923.

The public library has occasionally attempted similar regulation. In England "a few years ago the practice of *blacking out* the betting news was adopted in some newsrooms [of public libraries], as an experimental device to discourage the sporting element."—J. D. Brown, *Manual of Library Economy*, p. 426.

But self-denying ordinances and public opinion are not legislation, although they may compel legislation or other forms of governmental regulation. All these forms of regulation are of slight importance in comparison with the wide control that governments exercise, for better or for worse, over all periodical publications.

Two general forms of regulation of the press have been exercised by authority. In its most seductive form, control of the press has been secured by the favors shown it. In America ambassadorships have been conferred on leading editors of the metropolitan press, postmasterships have been given the editors in smaller places, and other similar favors have been shown. In England, birthday and New Year's honors have gone to editors both in London and in the provinces.[7] The extraordinary dangers that have come to the parliamentary system of England through the elevation of some newspaper editors to the peerage has been the warning recently given by a distinguished free-lance of the English press.[8]

Instances of a direct effort to control the press through bribery and corruption are less numerous and also less effective than are the more insidious means of which the press itself may be unconscious, but such efforts have been occasionally made. During the American Revolution, various accounts are given of the efforts made by the Royalists to avert the dangers of a free press by efforts to control it. "Overtures to the editor [Isaiah Thomas, of the *Massachusetts Spy*]," says his nephew, "with promises of honors, office, patronage, and reward, on espousing the cause of government, were rejected, and threats of vengeance for resistance, disregarded." [9]

During the last years of the Second Empire,[10] the French authorities were anxious to secure clever journalists to reply to Rochefort and other writers who were opposing it, and "large sums were spent in bribing journalists. Villemessant was paid ten thousand pounds to shake off Rochefort and support the authorities; Émile de Girardin was bought with the promise of a senatorship; Clément Duvernois was secured by being put at the head of a new journal, 'Le Peuple Français,' on which the Privy-purse, in little more than a year expended more than fifty-six thousand pounds. More money was spent on other journals."[11] The Panama Canal gave opportunity for the distribution among the French press of subsidies estimated at a total of 25,000,000 francs, with from 50,000 to 300,000 francs to individual papers. The campaign of General Boulanger was called "a mine of riches to a great number of journalists." A few years later the press in Paris was believed to be subsidized by Monaco; different papers were currently believed to be paid from 300,000 francs annually down to smaller sums according to presumed circulation or influence. No allusions were made to the tragedies or the financial catastrophes that so frequently occurred at Monaco,—the press sold silence as well as publicity.[12]

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[7] The London *Nation* bitterly arraigned the Prime Minister for his control of the press through patronage and cited from the *Morning Post* a long list of editors and owners of papers acting in high political positions.—"The Prime Minister and the Press," London *Nation*, October 12, 1918, 25: 41–42.

[8] A. G. Gardiner, "The Twilight of Parliament," *Atlantic Monthly*, August, 1921, 128: 248–255.

[9] E. S. Thomas, *Reminiscences of the Last Sixty-five Years*, II, 22–23.

[10] An important though depressing account of the regulation of the press during the First Empire is given in the letters of a contemporary

In Turkey, Abdul Hamid attempted to get control of both the Turkish and the foreign press. All local papers were subsidized by him and "they had in return to belaud the Sultan. Flattery laid on with a trowel was the rule."[13] "Many foreign newspapers, as well as all local ones, were regularly subsidized. Proofs of articles were sent to Yildiz Palace, sometimes by his diplomats, more usually by others, with a notification that if a certain sum were not forthcoming the article would be inserted. Many such sums were forthcoming."[14] No event in Egypt was mentioned in any newspaper published in Turkey from 1879 to

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Englishman living in Paris.—Henry Redhead Yorke, "Newspapers," and "Philosophical, Literary and Other Periodical Publications," *France in 1802*, edited by J. A. C. Sykes, pp. 213–225, 225–229.

[11] These statements are made chiefly on the authority of E. A. Vizetelly, *Émile Zola*, p. 120; he gives as his authority *Papiers et Correspondance de la Famille Impériale*, Imprimerie Nationale, 1870.

[12] A Resident in Paris, "French Journalism," *National Review*, September, 1895, 26: 74–82.

[13] E. Pears, *Life of Abdul Hamid*, p. 198.

[14] *Ib.*, p. 199.

1909, and contemporary history could never be reconstructed from the files of Turkish papers.[15] "Groups of censors examined the leading journals of every European country. The censors were themselves censored: for two sets existed and if either overlooked an important passage, an inquiry was held."[16]

Efforts to control the Canadian press were apparently made at the time of the general elections in 1917 when Sir Wilfred Laurier was defeated after a sudden switching from him to the Union Government. "The frenzied campaign" had coincided with the visit of Lord Northcliffe to Ottawa,—so said editorially *The Voice*, a Winnipeg Labor weekly. A crop of rumors sprang up after this visit and the Toronto *Globe* went so far as to explain that its stock had no Northcliffe taint. To some at least it had seemed clear that a large proportion of the Canadian press had been coerced into deserting Sir Wilfred Laurier and supporting the Union Government.[17]

Efforts to control the press have been made through the attempts of authority to influence public opinion,—a favorite device where authority has been most strongly entrenched. Bismarck was past master of the art of controlling the public and reducing it to uniformity with his own opinion.

> "One of his crooked ways," says Dawson, "was his systematic abuse of the Press. He reduced the manipulation of public opinion by the aid of venal newspapers to a consummate art, though an unclean one. He began the practice almost as soon as he became a Prussian Minister. . . . In later years this perversion of the Press was carried on to an incredible extent by the use of public money. In his political bodyguard were skilled journalists chosen for their resource and their readiness to be his servile tools in an immoral propagandism which was not the less discreditable to them because they did his will with entire devotion. Even newspapers of the highest standing were willing to be duped and debauched by inspiration derived from these

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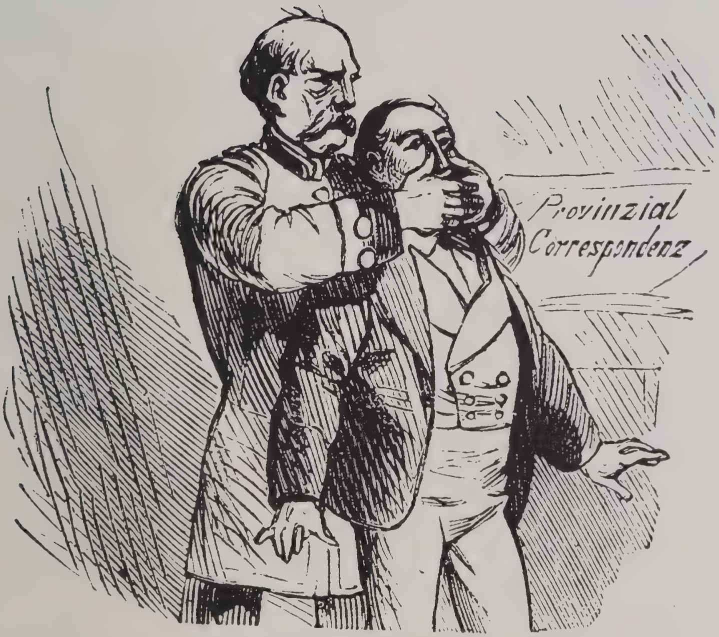
[15] E. Pears, *Life of Abdul Hamid*, p. 197.

[16] *Ib.*, p. 199.

The press laws and restrictions in Turkey are discussed by F. McCullagh, *The Fall of Abd-ul-Hamid*, pp. 57–59: 183–186.

A full treatment of the subject is that of Ahmed Emin, "The Hamidian Period," *The Development of Modern Turkey as Measured by its Press*, pp. 52–85.

[17] A. V. Thomas, "Newspaper Control," *The Dial*, February 8, 1919, 66: 121–124.



Der deutſche Reichskanzler wird ſo ärgerlich über die „gedruckte und geflüſterte Lüge“, daß er der Provinzial-Correſpondenz den Mund zuhält. Nun müſſen ſie Alle lügen, wenn ſie etwas drucken, da ſie die Wahrheit nicht mehr erfahren.

“PROVINZIAL CORRESPONDENZ”

From *Kladderadatsch, June 27, 1875*

polluted sources. By their connivance public opinion was manufactured, obscured, or perverted at will, just as the interest of the moment required. From this pernicious system, which in its worst aspects ceased with Bismarck's resignation, the political journalism of Germany, free and bond alike, has suffered permanently in influence and dignity."[18]

This condition had not been reached without protest from rival authorities. Bismarck in 1863 had introduced a drastic press ordinance "faithful to the tradition of the Carlsbad decrees," but it had aroused the bitter hostility of the Crown Prince who sternly reproached him for "having found no other means of coming to an understanding with public opinion than by imposing silence on it." In view of "the widespread disaffection which was caused by this subtle attempt to stifle public opinion, Bismarck deemed it prudent to withdraw before the storm,"[19] and the bill was shortly afterwards repealed. The principle of the control of the press was, however, not to be so easily abandoned by Bismarck and later it reappeared in even more objectionable guise.

During the recent war the regulation of the press established by Bismarck, not by process of law but by direct control of news, was manifested in various forms. The Central Bureau for the German press was under the direct control of the Ministry of the Interior and subscription to it was at the nominal rate of ten dollars per year paid monthly. The Prussian Minister of the Interior sent a confidential circular to the local authorities asking them to exercise effective jurisdiction over the newspapers of their districts. Much pressure was also exerted to have the press express the opinions dictated by the Berlin government and to subscribe to the Central Press Bureau. The local authorities in all parts of Prussia were active in persuading the newspapers to print articles and news supplied by the Bureau and at least one editor received the peremptory statement, "You are requested to send me in writing an unconditional promise to subscribe immediately to the Central Bureau for the German Press and to publish such articles as are recommended to you by Imperial and Prussian authorities without any curtailment or alteration within twenty-four hours of receiving them at your office. It is necessary that I should have this written pledge within twenty-four hours from now." [20]

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[18] W. H. Dawson, *The German Empire 1867–1914 and the Unity Movement*, II, 264–265. Bismarck's reasons for cultivating the press are given in a foot-note, p. 264.

[19] *Ib.*, I, 141–143.

The Government press bureau arranged to supply all the papers in the small towns and villages of Germany with news,—an arrangement agreeable to the newspapers since they were often short of working force and more than two thousand were said to have been forced to suspend for this reason. The newspapers were often told that they must either print what was sent them or be closed by the military authorities. "A great editorial sanctum is installed in Berlin to work for all the local papers," Baron von Zedlitz is quoted as saying in the Diet.[21] But the press in the larger cities often complained of this regulation. The *Deutsche Volkszeitung* of Hanover complained of the efforts of the Government to control and to direct sentiment, to create a standardized paper, and to insist upon the publication unchanged of a mass of articles furnished,—it was an offense punishable by martial law for an editor to omit a word or a comma from an article supplied by a news agency designated as official.[22] Even as early as August, 1914, the Prussian Minister of the Interior had ordered, in a circular addressed to the highest executive officer of each district, that the articles marked with a star must be published by every newspaper in their districts and the officers addressed were to be held responsible for seeing that the order was carried out. The newspapers were forced to print articles from the official organs of the Government, but were forbidden to indicate the source of such articles. Although these facts were stated in the Reichstag, no denial of the statements was made.[23] During the summer of 1917, a series of untoward events made necessary, so the Government thought, still greater regulation of the press. The revolution in Russia, the entrance of America into the war, the success of the English and the French offensive, the dethronement of King Constantine, the adhesion of Greece to the Allies, and the Russian offensive, all combined to justify the Government, it believed, in exercising control over the expression of public opinion through the press and thus minimizing the effect of these events.[24]

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[20] New York *Herald*, December 26, 1915.

[21] G. Hirsch, New York *Evening Post*, March 23, 1916. He notes that this arrangement was apparently agreeable since the Germans saw no reason why the Government should not purvey news as well as education, a knowledge of the present as well as of the past. "They prefer unanimity to individuality."

[22] New York *Times*, June 29, 1917.

[23] G. Miller, in New York *Tribune*, July 6, 1917.

A series of orders sent out by the Government to the German press was to the effect that America was to be belittled and Austria coddled and praised; anti-war and anti-Government speeches of the Austrian deputies were forbidden circulation; silence was to be maintained in regard to strikes, labor unrest, food shortage, coal difficulties, popular discontent; reports of a truce on the Russian front; the transfer of Russians from Switzerland to Russia to spread the cause of Germany in Russia; reports of disturbances in Königsburg; news of unrest and excesses in Prague; material conditions in Warsaw; a recent bomb attack on London by German flying machines; German importations from Holland; the state of the clothing material business and the purchase of clothing material in the occupied districts and in Switzerland; offers of food from the occupied Eastern war zone; a fire in the flying station at Lawica; an explosion in a Berlin railway station; strike disturbances of the Leipzig labor unions and their telegram sent the Imperial Chancellor; reports either by the daily or the technical press concerning technical inventions; discoveries, production of substitutes of all kinds; letters of a political content from the field must not be published; appeal must not be made through the press to members of the army to take a stand on political questions; advertisements of dog meat for sale were prohibited; advertisements of undertaking establishments seeking to remove the bodies of alien soldiers must not be accepted. The press was reproved for not stigmatizing enough the English theft of cipher telegrams, for not emphasizing sufficiently the U-boat warfare or the disagreement between Russia and the Allies. On the other hand, the press must lay stress on the Austrian successes, the failure of the Allies' offensive on all fronts, the decreasing tonnage of the Allies, the secret

[24] New York *Times*, July 4, 1917.

agreements between Russia and the Allies; the American preparations for war must be treated as "bluff," while recognizing the energy shown; the war aims of the Austro-Hungarian majority must be endorsed; while the press was informed it would be best to omit all discussion of the political controversies of the high command of the army.[25]

The contents of these press orders are given to indicate the extent of the attempted regulation of the press, and how clearly they were designed to make the press subservient to the military absolutists,—a design in itself indicative of a struggle for supremacy between the military and the legislative authorities,—and to show the basis of the vigorous protest against such regulation shown in the Reichstag by Hugo Haase, the leader of the Independent Social Democrats, and by other members of all political parties, of all shades of opinion. Energetic protest was made against the repression by the Government of all opposition to its measures; the press must not discuss the question as to whether the offer of an armistice by Russia was to be regarded as a political or a military affair,—"even purely theoretical, academic discussions of this kind are prevented." [26] Though the Vienna papers gave pages to the reports of mass meetings held to endorse the Russian armistice, repression of every kind, Haase protests, was used by the German government against the Independent Social Democrats. While the workmen of Leeds, Lyons, and Milan who arranged peace demonstrations in the public streets were praised by the whole of the German press, German workingmen who did the same thing were attacked.[27]

In all of these protests Hugo Haase was but repeating the regrets he had expressed at the outset of the war in regard to the same situation. "We regret," he had said in the War Sitting of the Reichstag, December 2, 1914, "in this unanimous meeting of all our fellow-countrymen the limitation of constitutional rights. Most especially is the control of the press quite unjustified. There is nothing to justify the limitation of the freedom of the press. It is calculated to cast doubt upon the maturity and determination of the German nation. The censorship leads to mistakes and economic losses. We ask for a very speedy remedy in the interests of the solid defense of the prestige and prosperity of the German fatherland." [28]

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[25] The press orders are given in the New York *Times* and the *Tribune*, January 8, 1918; comment on them in the *Evening Post* of the same date, in the *Times*, January 9 and 14, 1918.

[26] New York *Tribune*, January 15, 1918.

[27] New York *Tribune*, January 15, 1918.

Vorwärts on its part had protested against the limitations placed on discussion in the Reichstag and found no sufficient reason for such procedure:

> "It is just because narrow limits are imposed upon public criticism in the press, that it should have been possible to discuss fully in the Reichstag the important questions of internal preparation for war. This could not have caused any harm, for the very reason that we are convinced that criticism would not have been interpreted as a sign of weakness abroad, but as a new proof of strength. For the Government, however, it would have been an encouragement to remove existing defects, and to advance more energetically on the path that it has already entered upon." And it continues, "But above all in regard to one question it should be the Reichstag's duty not only to criticize, but also to act. We mean the question of the press. The telegraph has made us aware within the last few days of the complaints that the French, and especially the English, press, has made in the sharpest terms against the censorship. In point of fact the question of the freedom of the press has at no other time been of such importance as in the great, decisive, historical days which we are now living through. The sitting of the Reichstag is but short, and, if the representative assembly of the nation is adjourned, the press is the only organ of public opinion, its attitude the only possible way in which the German nation can take an active share in the moulding of its destiny. Especially in the critical time that is coming, in which resolves most difficult of decision will have to be formed, this participation of the whole nation should not be excluded. In saying this we do not fail in any way to recognize the military necessities, and we have from the beginning been conscious of the duty that devolved upon us of making allowance for them. But the limitation of the freedom of the press should remain restricted to these purely military necessities, and for that the Reichstag could and should provide. It can do this the rather that a prolonged continuation of the state of siege is unnecessary, and the attitude of the political parties is a guarantee that the policy of the empire

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[28] A. L. Gowans, *A Month's German Newspapers*, p. 58.

would receive no detriment, but only additional strength, if that freedom was restored to the press, without which it cannot fulfil its important and indispensable task." [29]

As the war went on, the ambitions of the Imperialists, thwarted on the East and on the West, turned toward the North as a more hopeful sphere of influence, and Lithuania promised an attractive opportunity. Lithuania had exercised the right of self-determination to the extent of electing as its king the Duke of Urach, supposed to be a descendant of one of the last kings of Lithuania. But what was apparently an official statement was published to the effect that this selection, without the knowledge of the German Government, could not be permitted.[30] Later, the official *Norddeutsche Allgemeine Zeitung*[31] rebuked the Lithuanian State Council for its proceedings in the election, stating that since German aid and protection had been asked, it was naturally assumed that Germany would be consulted in important matters. The *Kovno Zeitung* then discreetly remarked that "except for censorship of items of military significance, the Lithuanian press should be completely free in discussing public policy, but it is naturally expected that even in political matters, in view of the critical period through which the country is passing, the newspapers will show necessary tact, and will avoid anything likely to incite the people to public disturbances. It goes without saying that the press is under obligation to publish the ordinances and proclamations which the German administration authorities desire to bring to the knowledge of the population; for by this fact they demonstrate that they understand that their function is to represent in political matters not only rights but also obligations." Unfortunately, the *Kovno Zeitung* goes on to say, two Lithuanian papers in Vilna refused to comply with this public obligation. "With a regrettable lack of appreciation of their public obligations," they also refused to print on their front page, as ordered, the statements of the *Norddeutsche Allgemeine Zeitung* rebuking the State Council. As a result of this refusal

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[29] *Vorwärts*, December 2, 1914, A. L. Gowans, *A Month's German Newspapers*, pp. 26–28.

[30] *Neue Freie Presse*, July 22, 1918. C.

[31] Cited by the *Vossische Zeitung*, August 10, 1918. C.

"which constitutes open insubordination towards the military authorities," the publication of the two recalcitrant papers was forbidden until such time as they complied with the instructions of the German administration.[32] But *Germania* followed with a different version of the affair, stating that since the announcement of the *Norddeutsche Allgemeine Zeitung* did not correspond to the facts, and since the attached commentary did not agree with the Lithuanian conception of things, the Lithuanian papers wished to make an editorial correction, but this was not permitted. The editors then, not wishing to misinform the public, which had not as yet been told by the press of the election of the King, wished to add the statement, "This notice is published at the order of the Higher Command in the East." To this request the reply was sent: "Your attention is again called to page 2, No. 5 of the official bulletin to print the statement without remarks, consequently without the words at the order of the commander, otherwise you will have to bear the consequences."[33] The editors thereupon preferred to cease publication entirely. There seems little to choose between higher commands in the old world and in the new.

Vorwärts, in discussing the general discouraging domestic situation and the restraints on the press, said: "The Eastern peace in its recent developments has merely made new 'fields of military operations' and has not relieved us, as anticipated, and given us the hoped for superiority on the western front. Is it wrong to present clearly to the German nation the consequences that may result from such a situation? We are fully convinced that the opposite is true."[34]

This regulation of the press was not a new expedient in Germany, as has been seen, and similarly in Austria there had long been regulation of the press by authority. In the early 'eighties Arthur J. Evans had been carrying on research into the history and antiquities of the Illyrian Provinces, especially the suppressed Republic of Ragusa, and he found it convenient to live at Ragusa where he occasionally wrote letters to the leading English newspapers. But he was subjected to a rigid censorship, his papers were searched, and he was imprisoned for seven weeks on the charge of high treason, though released without trial. He subsequently wrote, "Has the world at large any conception of the deliberate, wholesale, and persistent efforts of the Austrian Government to suppress every item of independent news as to what is now occurring in Eastern Europe?"[35]

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[32] Cited by the *Vossische Zeitung*, August 10, 1918. C.
[33] *Germania*, August 12, 1918. C.
[34] *Vorwärts*, August 10, 1918. C.

The situation had not improved when J. M. Vincent wrote from Vienna nearly ten years later, "In no constitutional State in Europe are the conditions for free expression of opinion so unfavorable. Anything 'dangerous to public interests' may be confiscated by administrative order and the door is so open to official discretion that a quotation from the Bible might occasion the suppression of an issue."[36] Nor was the situation different when public opinion and the press were regulated by a member of the profession itself. "The greater part of what does duty for 'Austrian opinion,'" said H. W. Steed in 1913, "is dictated or suggested by the editor-proprietor of the *Neue Freie Presse*, of whom it has jokingly but, in a sense, not untruthfully, been said that 'next to him the Emperor is the most important man in the country.'"[37]

These efforts to regulate the press and through it public opinion have often been laid at the door of imperial governments, but other forms of government have not been guiltless. Even in America, where there has been the boast of freedom of the press, in a statement issued to the press in 1916, the chief censor of the War Department showed how clearly authority understood the service expected of the press, over and above that of circulating news. "The press," he said, "powerful in peace, may become more so in war. By its editorials and presentation of news it may sway the people for or against the war and thus stimulate recruiting and hearten and encourage the fighting forces in their work, or, by adverse criticism, may tend to destroy the efficiency of these agencies."[38]

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[35] A. J. Evans, "The Austrian War Against Publicity," *Contemporary Review*, September, 1882, 42: 383–399.

[36] "Politics and History at Vienna," *The Nation*, December 10, 1891, 53: 443–445.

See also, "The Vienna Press," *Appleton's Journal*, March 23, 1872, 7: 319–320.

[37] H. W. Steed, *The Hapsburg Monarchy*, p. 187.

But this thing was not done in a corner and there was in 1918 sharp criticism of the control of the press by Lloyd George at the time of the purchase of the *Daily Chronicle* in his interests by an English syndicate. The London *Nation* felt that disinterested expression of opinion had always been imperilled by the secret influence of the Government seeking to mold public opinion "and the subtler and more incessant bids of finance and property in matters where public policy affected values;" that "the tampering with the springs of public opinion has become more scientific and more systematic;" and that "to criticise the Government or its leading personages is *lèse majesté.* If private citizens do it with effective heat, they risk fine and imprisonment. If an editor does it, he must be deposed; the organ he has put to such unworthy use must be taken from him and placed in loyal hands."[39]

Canada also had learned the trick and the Chief Press Censor for Canada in 1918 sent out to editors a confidential circular marked "not for publication," in which he stated that owing to the shortage of agricultural laborers in Canada, the Government was making an effort to bring in from the United States to the Western Provinces as much farm labor as possible, and he adds, "Editors are asked to suppress references to this particular matter, as it is feared publicity may seriously interfere with the plan."[40]

These are suggestions of the various ways in which direct control of the press, and therefore of public opinion, has been exerted by governmental authority. But this control has been exerted in more subtle ways. Since the great desire is to have all news considered authoritative, one means has been to give out news having a specious air of authoritativeness. The New York *Evening Post* noted the mass of news sent out as coming from "a high official authority," or that "it can be officially stated," "it was declared by an official of the Department of Justice," or

[38] New York *Times*, July 7, 1916.

[39] "The Prime Minister and the Press," London *Nation*, October 12, 1918, 24: 41–42.

[40] New York *Evening Post*, February 1, 1918.

"Administrative circles declare to-night;" and it adds "These outgivings are steadily moulding public opinion along the lines desired by the Government," and it fears that "we are seeing a use of the press to color, interpret, and influence the news, which is a fresh reminder of our growing assimilation of methods in European nations."[41] The New York *Times*[42] made merry over these fears of the *Evening Post* and showed that these expedients had always been in use, and that they were comparatively harmless. The conclusion that these expedients were comparatively harmless did not, however, necessarily follow from the discovery that they had always been in use. The only conclusion possible was that the standards of authoritativeness have been lamentably low and no serious effort has been made, even by some of the leading members of the press, to raise these standards.

An effective means of regulating the press has been exerted through its business side. In Austria the control of pulp mills and their products has exerted an indirect control over the press on the part of their owners.[43] In Germany during the war the price for print paper was raised to such an extent that the merger of periodicals was considered.[44] The Diet of Saxe-Coburg and Gotha granted thirty-eight thousand marks to newspapers to enable them to continue publication,[45] but the complaint was soon made that "in spite of the promise made to the newspapers by the authorities that the paper would be better served, no improvement has appeared. Even the scanty quantity allowed the great dailies is not at hand, consequently in our Sunday issue to-day we are obliged to omit most of the advertisements, a measure that directly affects general business." [46] The ownership and management of large Canadian forests made Lord Northcliffe personally independent, but it also served indirectly to regulate the supply of other papers.[47] The newspapers in South America that were owned or controlled by the German government were not to be allowed to buy print paper in the United States, while the Director of the Bureau of Exports refused licenses to export paper to Venezuela.[48] Insufficient shipping facilities curtailed circulation and the "rationing" of print paper during the war restricted the size of newspapers, while the prolonged scarcity and the consequent high price of print paper compelled the press itself to regulate the number, size, and character of the advertisements carried.[49]

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[41] New York *Evening Post*, September 7, 1917.

[42] New York *Times*, September 9, 1917.

[43] H. W. Steed, *The House of Hapsburg*, pp. 188–192.

[44] *Düsseldorfer General-Anzeiger*, November 9, 1917. C.

After the war, the high cost and the scarcity of materials compelled many papers in Germany to suspend publication. The *British and Colonial Printer and Stationer* reported that one hundred and forty-four had ceased to circulate, while one provincial paper was typed and duplicated, instead of printed. —Cited by the *Publishers' Weekly*, October 21, 1922, 102: 1459.

The *New York Evening Post*, had earlier stated, on the authority of Commercial Attaché Herring at Berlin, that one hundred and seventy-seven German newspapers had permanently closed down their plants.—August 18, 1922.

Similar conditions were found in Austria. The burdens borne by the press in the form of high telephone, telegraph, and freight rates, and the enormous increase in the price of print paper led to the well-grounded fear that "the reading public would soon be dependent for its news upon a press financed by Hugo Stinnes and other foreign capitalists."—New York *Times*, June 25, 1922.

[45] *Lokal Anzeiger*, November 15, 1917. C.

Elsewhere business favors have been shown by the government to privileged journalists. The Vienna press association protested in 1918 against the special facilities for securing news without expenses accorded by the government, because it saw in such a policy the undermining of the independence of the Austrian press and the endangering of the very existence of the journalists' profession.[50] The *Arbeiter Zeitung* had already noted the efforts made by representatives of the great industrialists of Austria to utilize the press in the service of industries engaged in munitions making. The first step had been the dismissal of editors who refused to support the Conservative party, and their replacement by "nationalist" editors whose policy was controlled from Germany. *Vorwärts* had warned the press of the necessity of opposing these new tendencies, but it laments that "nothing has been done." [51]

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[46] *Vossische Zeitung*, December 2, 1917. C.

[47] W. E. Carson, *Northcliffe: Britain's Man of Power*, pp. 130–134.

[48] New York *Times*, December 10, 1917.

[49] The New York *Times* repeatedly carried announcements to the effect that except on Saturdays and Sundays it would not carry display advertisements.

[50] *Reichspost*, July 18, 1918. C.

[51] *Vorwärts*, February 9, 1918. C.—It gives in full a long account of these transactions from the *Arbeiter Zeitung*.

In every country to a greater or a less degree control has been exercised through advertisements withheld or judiciously placed. In America the Department of Labor sent peremptory directions to many large industrial concerns to cease widespread advertising for help as it would unsettle the labor supply and work hardship on individuals answering the advertisements.[52] In this specific instance there was no indication that the government wished to control the press, but it suggested a possible danger,—a danger realized in the extensive control of the German press through advertisements.

Governments have always at hand an effective means of controlling the press in the use they may make of denying it second class mail privileges. The American Federal Government has long exercised this control over periodicals of every form through forbidding the use of the mails to those containing advertisements dishonest in themselves, as questionable schemes for obtaining money under false pretenses;[53] it has forbidden the use of the mails to periodicals containing advertisements that prevent the enforcement of state legislation, as advertisements of intoxicating liquors;[54] to periodicals advertising lotteries;[55] to all periodicals containing obscene literature; it requires that all advertisements be plainly indicated as such. In all of these forms of regulation the Government has been upheld by public opinion; the regulation has been directed against generally recognized abuses and not against any special class of periodicals or against the expression of opinion.

Acquiescence has not been without protest when the Post Office Department has ruled that "weekly journals edited by cranks" shall be denied the freedom of the mails and on that ground has barred from the mails two journals advocating socialism.[56]

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[52] New York *Evening Post*, January 22, 1918.

[53] *Revised Statutes*, 1873, Sec. 3894, p. 758.

[54] In force August 1, 1917.

[55] *Revised Statutes*, 1873, Sec. 3894, p. 758.

This was supplemented much later by a Government announcement that in future notices of winners of prizes at church fairs, charity entertainments, and bazaars, where admission was charged, would be barred from the daily press.—Press Notices, February 5, 1915.

[56] Brooke Fisher, "The Newspaper Industry," *Atlantic Monthly*, June, 1902, 89: 745–753.

The amateur press felt aggrieved by the postal regulations of 1878 that forced many such journals to suspend. "For a time," writes one of their historians, "the papers dropped like leaves, but at the close of the panic, the survivors found that those remaining constituted nearly all the worth and stability of what had been before, and that in the main, the result had been beneficial in destroying the boyish playthings of which a majority of the 'immature amateurs' had made their journals." [57]

Not all journals and journalists have willingly concurred in legislative postal regulations. Those of 1908 limited the credit periodicals might extend to subscribers by prescribing the length of over-time that different classes might be sent, and also cut down to ten per cent of the number of subscribers the number of sample copies to be sent. These were held by representatives of the press to be "unfair and illegal rulings in relation to sample copies and expired subscriptions," since it prevented publishers of periodicals from extending their business as they might desire and the decision was made for them by the Government.[58]

At other times the Government has entered the business office of the press,—perhaps not wholly to the disadvantage of the press. The legislation of 1912 requiring of all periodicals the semi-annual statement of their business conditions met with general disapprobation on the part of the press. It was by some members of it attributed to the exposure by the press of municipal corruption and general political mismanagement, but since political corruption and mismanagement are always found and the press is usually active in exposing it, the explanation seemed scarcely tenable. No discrimination was shown in the administration of the law and it has apparently been accepted as a justifiable effort to prevent fraud and deception in the business management of the press.

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[57] T. G. Harrison, *The Career and Reminiscences of an Amateur Journalist, and a History of Amateur Journalism*, pp. 237–238.

[58] Wilmer Atkinson, *Answer to the Hon. A. L. Lawshe, Third Assistant Postmaster-General, wherein he justifies his recent rulings, and an appeal to Congress to Emancipate the Public Press from arbitrary Government Control.*

He elsewhere gives an account of his efforts to inform Congress and the public "of the errors of the Post Office Department in trying to increase the postage rates on the people's reading matter." He wrote, he says, pamphlets and booklets, comprising over four hundred pages, for this purpose.—W. Atkinson, *Autobiography*, pp. 208–213.

The whole subject of the newspaper post has an important bearing on the regulation of the press, but it is most complex in its relationships and has never been decided to the satisfaction of any of the parties involved.—A general survey of the question in America is given by A. D. Smith, *The Development of Rates of Postage*, pp. 148–163.

C. W. Burrows led the protest against the liberality of Congress in fixing second class mail rates in favor of periodicals largely floated by their advertising matter.—"Postal Rates and Literature," *Yale Review*, February, 1906, 14: 343–360.

But in times of war all conditions are changed and entirely different factors enter into the problem of government regulation of the press through the denial of mail service. It is then extended to cover the circulation of periodicals whose loyalty has been questioned, as well as to single numbers of periodicals deemed unduly censorious of government action. Under the Espionage Act of June, 1917, the use of the United States mails was denied to any newspaper or magazine containing statements believed by the Postmaster-General or by any postmaster in the country to be hostile to the national interests intended to be protected by the act. The Trading with the Enemy Act went still further and made it unlawful for any newspaper to reprint any article from any publication that had been declared unmailable and it fixed penalties against express companies and other transportation agencies seeking to distribute unmailable matter.

The Postmaster-General stated that this regulation of the press would not be political,[59] but it was quickly noted that the legislation was enforced only against socialist, radical, pacifist, labor, or liberal representatives of the press. In some cases, their editors learned only by accident that their papers were excluded from the mails; others were advised to send for their mail sacks lying on docks or in railway stations; some editors were told that specific articles were objectionable and others that the "spirit" or "tone" of the paper as a whole was not approved. Within a month after the passage of the Espionage Act about fifteen publications had been refused mail service,[60]—"almost daily since June 15 some anti-war, socialist, or pacifist publication has been barred for alleged 'treasonable' statements"[61]—and in less than a year at least seventy-five papers had been interfered with by the post office, others had been cited to defend themselves in court, while to others the use of the mails was conceded on condition that they would not discuss the war.[62] Special issues of various papers were denied the mails and then refused second-class mail privileges on the ground that "continuity of publication has been broken, knowing full well that the break in continuity of publication was caused solely by its own act in suppressing an issue." [63] *Four Lights* was a publication issued by from thirty to fifty women who wrote for it and edited it in turn by two's. Its proofs were submitted to a group of lawyers who went over them to make sure that they contained nothing contrary to law, but the Post Office Department refused to pass the editions of June 2 and June 30, 1917, although its editors had been assured they were within the law and the Espionage Act was not effective until June 15, 1917.[64] The Liberty edition of the *American Socialist* was held up even prior to the passage of the Espionage Act and subsequent numbers were submitted to a pre-censorship by the local post office officials.[65] The June, 1917, number of the *International Socialist Review* was suppressed by the Government "after most of the copies had been mailed" and it was advised that it could not have mailing privileges for its July number.[66] The March, 1918, issue of the *Metropolitan* was distributed through the mails before some one discovered that it had been unmailable.[67] *A Voice in the Wilderness* was denied the mails, but it changed its name to *I Cannot Tell a Lie* and its circulation under this name led to the arrest of its editor![68] Victor Berger's *Milwaukee Leader* was barred from the mails, at a loss it was said of fifteen thousand subscribers, and the right of the Postmaster-General to exclude it was upheld by the District Supreme Court of Washington.[69] The case of the *Masses* was before the courts from July, 1917, until January, 1919. The total number of periodicals denied the privilege of the mails under the Espionage Act will probably never be known until the full records of the Post Office Department are published. It is known, however, that the Act in all its severity was applied most rigorously to the small and comparatively unknown periodicals that were unable to "strike back" or to enter an effective protest. On the other hand, no restriction of mail privileges was made in the case of large and powerful members of the press who "freely and openly said things much more discouraging to recruiting than the worst that have appeared in the pages of the suppressed periodicals."[70]

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[59] New York *Tribune*, September 27, 1917.

[60] New York *Evening Post*, July 13, 1917.

[61] Washington press dispatch, July 11, 1917.

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[62] Lindsay Rogers, "Freedom of the Press in the United States," *Contemporary Review*, August, 1918, 114: 177–183.

[63] New York *Evening Post*, August 15, 1917.

[64] Margaret Lane, managing editor of *Four Lights*, in *Current Comment*, August 21, 1917.

[65] New York *Times*, August 12, 1917.

[66] Circular announcement of the *Review*, July 6, 1917.

[67] The question of whether the *Metropolitan* was really unmailable or not, or whether it had or had not been denied the mails was the subject of much controversy. The Postmaster-General denied having ordered the suppression of this issue, and said the rumor must have come from a letter to a New York postal official, after the issue had been circulated, directing that care be taken against permitting in the future such matter to go through the mails. The question seemed to be settled by the statement of the solicitor of the Post Office Department that he had really intended only to warn the magazine, but his warning had been misunderstood.—New York *Times*, March 10, 1918.

The anti-draft press was investigated by Federal officials in Chicago, August, 1917, and a consultation was held to determine whether anti-conscription articles were seditious, what papers had violated the Espionage Act, what action should be taken against them, what papers should be suppressed, and what papers should be denied the freedom of the mails.[71]

Objectionable as was the refusal of mail privileges to these almost defenceless papers, the most bitter criticism of all was directed against placing the enforcement of the Act in the hands of an administrative department, and making it possible for local postmasters to render decisions in regard to publications passing through their offices,—"an irresponsible censorship, executed by local officials who may be thoroughly unfit for the task."[72] The postmaster of St. Louis declined to distribute a number of the *American Socialist* because he objected to an advertisement of a socialist pamphlet it contained.[73] The *Kis-*

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[68] New York *Tribune*, March 5, 1918.
[69] New York *Times*, January 16, 1918.
[70] New York *Evening Post*, July 9, 1917.
[71] New York *Tribune*, August 8, 1917.
[72] *The New Republic*, July 21, 1917, 11: 316.
[73] New York *Times*, July 1, 1917.

simmee Valley Gazette was held up in the mails because it contained an advertisement of Thomas E. Watson's proposing, if funds for that purpose were pledged, to test the legality of the Conscription Act, but it was apparently released after the offending advertisement had been clipped from every copy of the paper.[74] Thomas E. Watson's *Jeffersonian* was in turn denied mailing privileges because in it he had evinced a desire to obstruct recruiting and to hinder the sale of Liberty bonds, and although he appealed from the order of the Post Office Department, the Court sustained the order and the editor gave up the fight.[75] The New York *Call* was excluded from the mails, but the order to that effect was apparently discreetly deferred until after the election of the mayor of New York,—a punishment evidently inflicted for its support of the socialist candidate for that office, but wisely deferred until after the election in order not to increase still more the socialist vote.[76] An issue of one hundred thousand copies of *The Crisis* was held up by the Post Office Department because it contained a copy of an order said to have been issued to officers in the French army in regard to their association with the negro officers among the American troops.[77] Two numbers of *The Truth Seeker* were declared to be non-mailable because they contained articles unfavorable to the work of the Red Cross and the Y. M. C. A.[78] *The Nation* for September 14, 1918, was held in the New York post office and no explanation vouchsafed in the city post office on the ground that "all information must come from Washington." The information later given by Washington was that "it contained unjustified criticisms of the Government and its agents," but four days afterwards the issue was released.[79] The New York *Times Current History* for May, 1918, and the *Mid-Week Pictorial* for May 23, 1918, were withheld in San Francisco from the mails for Manila, China, Japan, and India, but entire lack of information as to the reason was professed by the naval officers who passed on the responsibility to the Post Office Department.[80]

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[74] New York *Evening Post*, August 6, 1917.

[75] New York *Tribune*, September 2, September 9, 1917; New York *Times*, September 23, 1917.

[76] New York *Evening Post*, November 15, 1917.

[77] New York *Tribune*, May 2, 1919.

[78] New York *Tribune*, September 11, 1918.

[79] New York *Times*, September 14, September 17, 1918; New York *Tribune*, September 14, September 18, 1918; New York *Evening Post*, September 17, September 18, 1918.

These illustrations, which could be multiplied almost indefinitely, have been given to show the great power and the wide range of discretion lodged in the Post Office Department by the Espionage Act. That it administered the Act successfully and to its own satisfaction was evident from the statement sent out from Chicago that "Federal officials said to-night that, as a result of the raids, not an I. W. W., anarchist, or socialist publication was being printed in the country to-day." [81] That the situation, however, did not seem so satisfactory to others was evident from a protest luncheon held July 13, 1917, and attended by one hundred persons who discussed the violation of a free press in America. Some of the speakers made it clear that their protest was less against regulation of the press *per se* than against its being "left to the judgment of the policeman on the street corner or to the postmaster." [82] A meeting was held in New York a few weeks after the Espionage Act went into effect to arrange for a public meeting and to protest against the action of the Postmaster-General in barring certain radical publications from the mails, and to ask Congress to repeal that part of the act that gave the Postmaster-General discretionary power to decide what periodicals should be barred from the mails.[83] Influential papers had in their turn protested against the delegation to postmasters of the power of decision, and against the refusal of the Post Office Department to specify the articles that justified exclusion from the mails, but barring them because it objected to "the general tone" of the paper.[84] The difficulty was approached from a different angle by Meyer London who introduced a resolution in the House of Representatives asking for an investigation of the activities of the Post Office Department in excluding periodicals from the mails under the authority of the Espionage

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[80] New York *Times*, June 14, 1918.

[81] New York *Times*, September 7, 1917.

[82] New York *Evening Post*, July 13, 1917.—Additional facts are given in *Current Comment*, August 21, 1917.

[83] New York *Times*, July 21, 1917.

[84] New York *Times*, July 14, 1917.

Act. The resolution called for the name of every newspaper, periodical, book, circular, print, or publication excluded from the mails and the reasons for such exclusion.[85] Even Federal officials in Washington disapproved of the policy.[86] "Nothing, however, seems to bother the Postoffice Department in its ruthless warfare against the Socialist, radical, and labor press."

The proposal to continue the regulation of the press in time of peace found all classes opposed to it. Representative La Guardia said at a non-partisan meeting that the only purpose of the Espionage Act was to cover up the waste and inefficiency in the departments at Washington,[87]— probably a not strictly non-partisan statement. Samuel Gompers said that the American Federation of Labor would unalterably oppose the pending peace time sedition bill since "it would perpetuate an autocratic censorship over the entire American press" and it could be used to kill free speech and free assembly.[88]

The press had to contend not only with the regulation exercised by the authorities of its own country but also with that of other countries. The Austro-Hungarian Ambassador at Paris, on July 27, 1914, handed to the French Acting Minister of Foreign Affairs a memorandum complaining of the whole of the Servian press and stating that up to that time no fewer than eighty-one Servian newspapers had had to be withdrawn from postal circulation because their contents fell within the scope of the penal law. The Austrian authorities, however, did not seem to be disconcerted by the consequent loss of opportunity for Austrians to learn through the Servian press the point of view of the Servian government, the Servian press, or the Servian people.[89] The circulation of the London *Nation* was forbidden outside of Great Britain because of, so it was currently believed, the unwillingness of the Government to have its opponents, or even its friends, see its pungent criticisms.[90] Thus the censorship, remarked the London *Nation*, "has sought to establish a super-editorship of the Press, so as to mould its will and intelligence into agreement with the official pattern," and "in all, sixty-six publications have come under their edict." [91]

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[85] *Current Comment*, August 21, 1917.

[86] New York *Times*, August 12, 1917.

[87] New York *Times*, February 9, 1919.

[88] *International Molders Journal*, February, 1920, 56: 97–99.

Means were found, however, of interfering with the labor press four years and more after the close of the war. The editor of the *Labor Review*, published in Memphis, Tennessee, was fined and sentenced to serve six months in jail for violating an injunction issued in connection with the railroad shopmen's strike. When the editor of the Memphis *Press* called in question the constitutionality of the injunction, he in turn was arrested and fined.—New York *Times*, September 19, 1922, May 9, 1923; Baltimore *Evening Sun*, September 18, 20, 1922.

[89] French *Yellow Book*, No. 75; Austrian *Red Book*, No. 19.

The Fatherland was notified that it was unmailable in Canada,[92] all seditious papers were barred in Canada,[93] and the Government specially prohibited the entry from New York of four German newspapers published there.[94] The Hearst newspapers were also barred from Canada and penalties were declared in all cases where individuals had copies of them in their possession after a certain specified date.[95]

Regulation of the press through exclusion from the mails was supplemented by raids on publication and editorial offices. The British Government ordered the police to raid the offices and the headquarters of the Independent Labour Party, and every copy of the *Labour Leader* and the *Socialist Review* published by it, as well as hundreds of pamphlets issued by the party dealing with labor problems arising out of the war, was seized.[96] "That an Anglo-Saxon Government with all its traditions as to freedom of speech should have to resort to this is what hurts, for it is not a question of suppressing news or anything in itself improper. . . . It is against opinions honestly held that action has been taken," was the comment of the *Evening Post*.[97] The printing plant of the London *Globe* was seized[98] and the New York *Tribune* said, "The law regarding censorship, so far as the public knows, confers no right on those in authority to seize newspapers without legal trial."[99] In Ireland the machinery and plant of the *Nubianer*, the *Kerryman*, and the *Liberator* were seized.[100]

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[90] New York *Times*, April 8, April 13, April 25, 1917; New York *Evening Post*, April 19, May 3, May 5, 1917; A. S. Draper in the New York *Tribune*, May 18, May 19, 1917.

[91] New York *Evening Post*, May 3, 1917, citing the London *Nation*, April 15, 1917.

See also editorial "The *Manchester Gurdian* vs. the Muzzled Press," New York *Times*, June 5, 1917.

[92] New York *Times*, September 25, 1914.

[93] New York *Times*, November 13, 1914.

[94] New York *Times*, November 21, 1914.

[95] Philadelphia *Public Ledger*, November 9, 1916.

[96] New York *Tribune*, August 19, 1915; New York *Evening Post*, August 21, 1915.

[97] "British Liberty in War-time," New York *Evening Post*, August 21, 1915.

The regulation of the press by excluding from the mails such periodicals as the Post Office Department deemed subversive of patriotism had its counterpart in the postal zone regulations for second class mail matter. This act, that went into effect July 1, 1918, divided the country into postal zones, and increased the price of second class mail matter proportionately to the distance from the distributing points. It was in essence the repetition in America of the "taxes on knowledge" that in one form or another English liberals had fought against for practically one hundred and fifty years and the last vestige of which had been abolished only in 1869. Without turning to the experience of England or realizing the duration and the bitterness of the struggle to abolish such taxes there, the measure was passed by Congress,—only to arouse the same hostility, from similar sources, and on similar grounds as had been the case in England. Over seven hundred different organizations adopted resolutions protesting against its passage or asking for its immediate repeal. They represented Chambers of Commerce, boards of trade, religious organizations, farmers' associations, educational bodies, the Authors' League, the American Newspaper Publishers' Association,[101] and similar organizations.[102]

The objections urged against the law were the general, the financial, and the educational considerations. It was felt that it would inevitably cause many newspapers to suspend publication, that the postal charges for the outer zone would be prohibitory and confiscatory; that it would increase subscription and advertising rates; that it would disturb business; and that the rates were discriminatory and excessive. To these objections on the financial side were added all the serious educational disadvantages that would follow: newspaper exchanges would be prevented; sectionalism would result, and national unity thus prevented; it would penalize home, educational, religious, business, agricultural, and scientific magazines; it would limit reading and make zones of thought; it would create artificial areas, and circumscribe public opinion, while being a direct tax on public opinion. It was opposed because the post office had been established to render a public service, not to make money, and the zone system had been abolished in 1863; the press had been an effective agent of the Government and had spread its aims and explained its policies; it would only promote vexation and irritation and would defeat its own ends while in the end not increasing the revenues of the Government.

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[98] New York *Tribune*, November 7, 1915.

[99] *Ib.*, November 26, 1915.

[100] New York *Evening Post*, August 29, 1916.

[101] Only two newspapers voted against the protest made by the Publishers' Association of New York City.—New York *Tribune*, September 20, 1917.

Small newspapers with an assured local circulation did not oppose the law.—New York *Evening Post*, April 23, 1918.

[102] "The Zone System," *The Outlook*, January 1, 1919, 121: 5; *Electrical Merchandizing*, January, 1918; *The Woman Citizen*, April 13, May 4, May 18, 1918; *The American Printer*, July 5, 1918.

These and other arguments of the periodical press did not prevail, and, in the words of the *American Printer*, "the plan to denationalize the newspapers and periodicals of America has been carried through to a finish. . . . Tacked on a war emergency bill, the subject had no adequate discussion before being enacted into law, and the multitude of protests from printers, publishers, trade unions, boards of trade, and American citizens have availed nothing against what appeared to be headstrong purpose to crush the publications, loyal and disloyal alike." [103]

When in actual operation, the opposition to the law was as pronounced as it had been before the law went into effect. The American Newspaper Publishers' Association in April, 1919, passed resolutions calling for its repeal and asking that before new legislation was passed the whole subject should be examined by an expert commission.[104] Proposals to repeal the law had indeed been made almost as soon as it was passed, and the following March its repeal was predicted by the chairman of the post office committee of the new House.[105] But all predictions of its repeal were falsified and all appeals for a serious, scientific examination of the question fell on deaf ears, largely because the Postmaster-General was satisfied with the work of his hand. He indeed assumed somewhat the rôle of a martyr, declaring that the newspaper and magazine publishers were intriguing against him because they wished a reduction of the rates on second class mail matter,[106]—perhaps a case of troubled conscience since he had recently suspended the *Postal Telegraph*, the House organ of the Postal Telegraph-Cable Company.[107]

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[103] *American Printer*, July 5, 1918, cited by the New York *Evening Post*, July 12, 1918.

[104] New York *Tribune*, April 26, 1919.

[105] New York *Tribune*, March 21, 1919.

The law had been defended by its framers on the ground that periodicals having a large circulation carried much advertising matter and they were therefore carried by the Government at a loss. "This loss," explained Representative T. L. Blanton, "has been paid by the people, who have been taxed in order that rich publishers may become multi-millionaires." [108] But it was difficult for others to understand why large numbers of small papers and magazines should be forced out of existence in order to reduce the incomes of multi-millionaire publishers, especially since the taxpayers had not demanded such reduction. The agricultural publishers stated that the zoning plan meant "the ruination of the agricultural publication business and that twenty farm papers with a total circulation of fifty thousand copies annually had already been discontinued." [109]

In view of all this regulation of the press, both in time of war and in time of peace, the questions must arise as to what the advantages and the disadvantages of such regulation are and what its general results have been.

Much of this regulation of the press has been entirely in the interests of the public. It has afforded the public the same kind of protection that has been given through legislation protecting the depositors in savings banks and restricting general banking business; it has been similar in spirit to the license required of physicians and pharmacists, and to the admission to the bar demanded of all prospective lawyers. It has been in the mutual interest of press and public that reports of circulation have been

[106] New York *Tribune*, April 24, 1919.
[107] Daily press, April 23, 1919.
[108] *The Woman Citizen*, April 27, 1918.
[109] New York *Evening Post*, June 28, 1918; New York *Times*, June 18, 1918.

required, that some control has been exercised over questionable advertisements, that efforts have been made to standardize the news in the interests of truth, accuracy, and a higher plane of ethics. This regulation of the press is also entirely in the interests of the historian since it obviates the necessity of personal investigation of otherwise confusing masses of material. Even the regulation of the press through libel laws is a fair protection to the press against over-hasty action on its part. It is when regulation invades the region of expression of opinion; when regulation becomes persecution; when regulation develops either from censorship or into censorship; when regulation becomes an active propaganda;—it is under any or all of these guises that regulation of the press becomes a serious danger.

The charge is often made that the press is regulated through voluntary or compulsory suppression of the news, but here as elsewhere much must be laid at the door of the general statement. At a public meeting, the representative of a recently formed political organization was asked why it had received so little publicity and he replied that it would be glad to get more publicity, but that the newspapers had refused its advertising matter. A letter addressed to headquarters received the reply, "The three newspapers that have refused our advertising are the,"—naming three papers that were conspicuously hide-bound partisan journals published in two state capitals in the middle west. Some papers do suppress the news and to that extent the press suffers from regulation, but it seems as unreasonable to generalize from insufficient data here as it does elsewhere. If a member of the church proves to be a defaulter, some persons find in this a ready excuse for ceasing to attend church; if a prominent citizen in the community is known to be in the service of a corrupt political party, other citizens find in this a reason for never going to the polls. But both are generally condemned; and it seems not more reasonable to condemn the press as a whole for the misdoings of its disreputable members. A community that is politically corrupt or unenlightened does not gather grapes from thorns or figs from thistles, and no newspaper press is presumably very far in advance of the community in which it is found.

Another result of the regulation of the press of one country by authority in another is seen in the widespread ignorance that is necessarily entailed by such a policy. During the recent war for nearly or quite two years no German magazines or newspapers, with the exception of a few scientific journals, and a selected list granted the Library of Congress, were allowed by the British Government to enter America, although the English newspapers continued to receive their German exchanges. All German news, therefore, during this period was received ultimately through English channels and from Washington,[110] and consequently during this period Americans were kept in ignorance of what Germans were thinking and doing except in a military way. The constant complaint that Germany misrepresented America could be matched by the reverse complaint that America misrepresented Germany. But the fundamental objection to the whole policy was, as has been so well said, that "it strikes another blow at the intellectual foundations of democracy." Americans were kept in ignorance of the enemy's country at the very time when it was most important that they should be pre-eminently well informed of everything that concerned its opponents. Sven Hedin's *With the German Armies in the West* was refused circulation in America, yet no better illustration could anywhere be found of the iniquity of a subsidized, regulated press. Not only the British lion, but America, at England's behest, was "fighting in blinkers."

Circulation of British newspapers was also regulated by the British Government. The Manchester *Labour Leader* was not allowed to be sent abroad,[111] and circulation was also denied the *Cambridge Magazine* and *Common Sense*. Circulation in America was also denied documents issued by the No-Conscription Fellowship, the Union of Democratic Control, and the Independent Labour Party.[112]

Early in the war, the *Evening Post* had noted[113] "a distinct trend towards regulation of the American press,"—perhaps because "the legislator who has been looking for new fields of business to regulate has now turned his attention to the press,"[114] and it concluded that in view of the whole movement it was "undeniable that the press ought to profit by the many warnings that it must set its house in order if it is really to head off hostile legislation." The New York *Times* was protesting at the same time against the inquisitorial investigation of the leading member of its staff at the hands of a special committee of the Federal Senate, and was reprinting from the press of the entire country the commendations of its protest against the course of the Committee.[115] The *Baltimore American* in particular felt that the editor had "delivered a salutary rebuke to the Committee when he said he could see no ethical, moral, or legal right it possessed to ask many of the questions it had put to him."[116]

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[110] "Keeping out German Newspapers," *The Nation*, June 8, 1918, 106: 670–671.

[111] New York *Evening Post*, August 24, 1916.

[112] New York *Evening Post*, January 19, 1917.

[113] New York *Evening Post*, March 26, 1915.

The danger of regulation of the press was imminent even before the actual beginning of the war. "Censorship and control of news" were both provided for in a bill proposed by the General Staff of the Army early in 1917 on the ground that the measure must be passed before the declaration of war to avoid the confusion that must result if "censorship and control should have to be set up after the war." In the bill with its accompanying literature the New York *Evening Post* found "indisputable evidence that the control of the press and not merely the control of the news, is what is in the minds of the authors of the bill."[117] A proposed censorship bill was favored by a member of the Cabinet, but to some members of the press it seemed that "his purpose is evidently not so much to keep information of value from getting to Berlin as it is to keep it from getting to the American public."[118] Secretary Baker said with reference to the conscription act that "from the very beginning criticism was silenced and doubt answered by the obvious wisdom of the law," but a different explanation of the silencing of criticism might have been found in the statement made to the press by Mr. Burleson that criticisms of the law would not be tolerated.[119] When the Secretary of the Treasury rebuked the New York *Tribune* because it had criticised the handling of the first Liberty loan,[120] the *Tribune* promptly replied, "Giving pain to you and giving comfort to the enemy are not yet synonymous here." [121]

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[114] The same editorial, " 'Regulating' the Press," may be found in *The Nation* April 1, 1915, 100: 348–349.—Illustrations of its contention are cited from the Federal law, and also from state legislation in Alabama, Indiana, Maine, New Jersey, New York, and Utah.

[115] New York *Times*, March 17–27, 1915.

[116] Cited in the New York *Times*, March 18, 1915.

[117] "Another Menace to the Press," New York *Evening Post*, February 16, 1917.

[118] New York *Tribune*, May 9, 1917.

It is perhaps significant of the subtle control exercised by authority over the press that in December, 1919, an American ship was launched and named *American Press* "in recognition of the services of the press during the war." But no ship, so far as known, has ever borne the name *Censorship*.

Every country has had its own particular method of regulating the press, although at the same time furnishing many sporadic illustrations of variants from the predominant type. For practically a century and a half, England regulated the press through taxes on knowledge, but the relations between the Government and the press were not exclusively those of taxation. A long succession of officials from the time of the Commonwealth to the early part of the nineteenth century, from L'Estrange and Milton to J. W. Croker, superintended the press and influenced public opinion. Since "Letters to the Editor" expressed public opinion, it was the work of the treasury editor to watch these, to prevent attacks on the Government, to write in defence of it, and to secure the insertion of these letters in the press. Thus a systematic supervision of the press grew up.[122] At the close of the eighteenth century and for some years after "there was scarcely a provincial editor who would have hazarded an original article on public affairs. . . . When Mr. Pitt began to find a constant instrument for the inculcation of his views indispensable to bear along with him the force and currency of popular sentiment, a public officer was instructed to open a communication with the proprietors of journals of large circulation, and the result was, that to a vast majority of them, two or three London journals were sent gratuitously, certain articles of which were marked with red ink, and the return made was the insertion of as many of these as the space of the paper would allow. Thus was the whole country agitated and directed by one mind, as it were; and this fact accounts in no small degree for the origin, propagation, and support of that public opinion which enabled the minister to pursue his plans with so much certainty of insuring general approbation." [123]

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[119] New York *Evening Post*, December 18, 1917.

[120] The statement of the Secretary is given in the New York *Times*, June 22, 1917.

[121] New York *Tribune*, June 22, 1917.

[122] Edward Porritt, "The Government and the Newspaper Press in England," *Political Science Quarterly*, December, 1897, 12: 666–683.

Business control asserted itself when the Government, in order to avoid Sunday labor, about 1834 changed the issuance of Sunday papers to Saturday.[124] Absolute, unrestricted regulation appeared when King George V held a Privy Council at Windsor Castle for the purpose of signing an Order in Council prohibiting the publication of, or any reference to, the secret sessions of the two Houses of Parliament, except the report officially communicated to them by the Press Bureau. In future it was to be an offense "to publish any report or to purport to describe or to refer to the proceedings at any meeting of the Cabinet." [125] These were the measures that led to the indignant protest of H. W. Massingham in a letter to the London *Times*, saying, "I hope it will not be assumed that journalists, Liberal or Conservative, Socialist or Independent, acquiesce in an Order in Council which crowns the withdrawal of free criticism in Parliament with the suppression of free criticism of the executive." [126]

Much restriction has indeed sometimes enabled the press to wear the yoke easily. The war was not yet a year old when one part of the London press demanded the extension of the military censorship to that part of the London press that criticised the policies and proceedings of the Government, on the ground that such criticism gave aid and comfort to the enemy in a way that verged dangerously near, if it did not actually become, treason. And it is to be noted that these denunciations were of criticism *per se*, not of possible injustice of the criticism.[127]

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[123] *New Monthly Magazine*, Vol. XLVIII, cited in *The Life of Edward Baines*, by his son Edward Baines, p. 42.

[124] J. C. Francis, *Notes by the Way*, p. 6.

[125] New York *Sun*, May 21, 1916.

[126] London *Times*, April 25, 1916.

[127] New York *Times*, May 5, 1915.

Even so had it been in Germany when Abeken, Bismarck's Secretary, wrote to his uncle, from Berlin, June 7, 1863: "I consider that the new regulations [the so-called Press Order, June 1, 1863], although literally justifiable constitutionally, are neither wise nor intelligent, nor adapted to a free and law-abiding country. I should have nothing to say against Draconian laws as long as they pre-suppose wise repressive action. I should rather the Government did not take exceptional measures." But Abeken wrote in the same letter, "Thus on the whole, I stand by the Government with complete conviction." [128]

In America the general problem of the regulation of the press has been affected by special local conditions. During the Revolutionary War the not disproportionate division of the citizens into Patriots and Loyalists encouraged each side in the controversy to attempt to swing the press to its side. During the long controversy over slavery, "incendiary literature" became the great terror of the pro-slavery side and every effort was made in Congress to restrict its circulation. President Jackson in his message to Congress, December 2, 1835, asked for legislation restricting it and the measure asked for was introduced in the Senate, but in spite of the powerful advocacy of it by Calhoun it failed by a vote of nineteen in favor to twenty-five against.[129] The names of Benjamin Lundy, Elijah Lovejoy, and William Lloyd Garrison will always be remembered preeminently among those who resisted the efforts to regulate the press in the interests of slavery. "It was the little fellows like the editor of the *Liberator*," says one of their followers, "that gave them trouble. These men had no money, but they could not be bought. They had no fear of mobs. They cared nothing for the scoldings of the church and the press. An adverse public sentiment never disturbed their equanimity or caused them to turn a hair's-breadth in their course."[130]

During the Civil War, both Federal and Confederate governments found the question of the press a troublesome one. Not only was the country divided against itself but each section had to contend against dissensions within its own ranks. Entirely outside the region reached by legislation the Federal government in particular had to deal with the representatives of the press whose general policy was subversive of its authority. But the judgment is undoubtedly correct that "the government did far less than the enthusiastic Union men of the time would have wished in the way of controlling the press," and that "popular pressure, rather than governmental repression was, after all, the most effective method by which the journals could be kept within bounds."[131] There were repeated instances of punishment inflicted on individual papers for specific articles found objectionable, but these are to be classed as illustrations of punitive censorship, and there seems to be little or no evidence of deliberate plans to control general opinion or to enforce a specific governmental policy by means of the press.[132]

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[128] *Bismarck's Pen*, pp. 194–195.

[129] The situation is fully discussed by H. von Holst, *Constitutional History of the United States*, II, 120–136.

[130] J. F. Hume, *The Abolitionists*, p. 56.

During the recent war the presence in America of large numbers of the foreign born presented a peculiarly strong temptation to the Government to regulate the press. But such regulation took the direction of applying such statutes as already existed and in denying freedom of the mails to newspapers whose general policy was held to be objectionable. In the determination to regulate the foreign language press, as was done through the Espionage and the Trading with the Enemy Acts, the Federal government was entering a different field and its policy on this point is considered elsewhere.

It must be evident that authority has in one form or another, with greater or less success, regulated the press of every country;

[131] J. G. Randall, "The Newspaper Problem in its bearing on Military Secrecy during the Civil War," *American Historical Review*, January, 1918, 23:303–323.

The *Annual Cyclopaedia*, 1864, pp. 389–394, gives a list of more than thirty papers suspended in 1864, including an account of the suspension of the New York *World* and the *Journal of Commerce*.

[132] An individual case of some importance was that of Carl Schurz who wrote President Johnson from New Orleans, September 5, 1865. He enclosed a press clipping stating that he was to be recalled because he was writing for Northern papers his impressions of what he had seen and his opinions of what ought to be done, instead of reporting directly to the War Department for the information of the President. As the clipping was from a Washington newspaper, Schurz considered that it had been "inspired" by the President and was an attempt to regulate his press correspondence.—*Speeches and Correspondence of Carl Schurz*, I, 270–272.

that this regulation has been constant in one country and intermittent in another; that the form of regulation has varied in different countries; that authority has never definitely and permanently abandoned its claim to enforce such regulation; and that the results of excessive, ill-advised, illegitimate regulation of the press have in essence been everywhere the same, although their manifestations have varied in different countries. In England regulation of the press was enforced for a century and a half through taxation on knowledge, and the unstamped press long protested against regulation. In France regulation took the form of a general repressive censorship that found expression in a multiplicity of detailed specific press laws, and the result was seen in the rise of the clandestine press with its variant, the smuggled press. In Germany regulation of the press has since Bismarck's day assumed the form of supplying material, ideas, suggestions, information, and special articles to the press with the express understanding that these were to be published in the form sent. In Russia one form of regulation of the press has been that of protecting the anti-Semitic press in its campaign of persecution of the Jews.[133] In America regulation of the press has been fitful and spasmodic; it has grown out of special needs, it has been used only in emergencies, and it has been adapted to special conditions, and it has been withdrawn when conditions have changed.

But in all the varied forms assumed by regulation of the press certain general family resemblances are observable. It has everywhere pandered to the clamors of the mob in its race and national prejudices, and in its hatred of all who differ from it, and this whether the mob has occupied the seats of the mighty or has been of low estate. It has been used to suppress criticism and to cover up all justifiable causes of criticism,—perhaps because it has realized only too clearly that "the glare of publicity is the great deterrent of evil." It has been used for partisan, or sectional, or sectarian ends.

But once more it must be understood that this handicap on the press in the form of regulation of the press concerns only such regulation as seeks to control the free expression of opinion. As police protection is as yet always necessary to shield society from the criminal, the vicious, and the depraved, so some form of regulation of the press is as yet required for the protection of society from the criminal advertiser, from the flagrant violations of legitimate sympathy expected of all human beings with their fellows when in trouble. But again it must be insisted that all forms of legitimate regulation of the press are far better placed in the hands of the press itself or exercised through a healthy public opinion than they are when irresponsibly used by authority. Is it possible that more or less of the regulation of the press by authority has been in a measure explained by the failure of the press as a whole to rise to its opportunities, to set for itself the highest standards, to transform itself from within and thereby become the *agent provocateur* for reform enforced from without?

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[133] "The Military Censor and the Jewish Question," New York *Times*, October 8, 1916.

CHAPTER VII

TAXES ON KNOWLEDGE

> "We can imagine no more useful task for the Clergyman, the Squire, or the intelligent Farmer than that of giving a weekly lecture upon the Newspaper."—*Charles Knight.*

> "In considering the subject of Taxes on Information, it should never be forgotten, that the newspaper is the poor man's book of knowledge. He has no other means of becoming acquainted with the laws, the opinions of society, and the facts with which his own interests are connected. In this country it is a maxim, that ignorance of the laws is no excuse for violation of them; and yet there is no attempt at promulgation, not a show or pretence of it! The laws are supposed to be made in secret, the publication of debates being a breach of privilege; and when passed, the King's Printer has the monopoly of selling the Acts of Parliament in the most expensive form, and at a price far above the means of the many. The newspaper, infracting the Standing Order of the House, publishes the debates, and makes those who can afford to buy them acquainted with new laws and the operation of them; but the newspaper is taxed above the means of the poor, who must suffer for their ignorance. Parliament puts beyond their reach the only instrument which can warn them of its laws. It makes a darkness, digs a snare, and punishes those who fall in it."—*Fonblanque.*

> "Your Committee do not consider that news is of itself a desirable subject of taxation."—*Select Committee on Newspaper Stamps*, 1851.

AUTHORITY has everywhere and at all times attempted some form of regulation of the press, but it has varied in degree from an absolute effort to regulate the expressions of opinion and the publication of news, to a spasmodic, sporadic manifestation of this desire. It has been constant in its application in one country, it has been intermittent in another. In one country, press and people have become accustomed to the yoke and have worn it in the spirit of persons born in captivity, while in others there has been protest in spirit and in action. In one country, regulation of a special form of the press has been attempted, while elsewhere governments have sought to regulate the press as a whole by putting all possible obstacles in its path to limit its circulation, or they have attempted to use the press as a means of increasing their revenues.

It is in England that this last form of regulation began earliest and was continued longest in the face of bitter, defiant, and organized, though intermittent opposition. But although England was the scene of prolonged controversy over governmental regulation of the press, the principles involved in the struggle have been and still are of universal application. It is, therefore, necessary to consider the causes assigned by the government for its action; to go back of the face of the returns and to determine, if possible, the real causes of this regulation; to consider the impression that the action made in England; to understand as far as possible its immediate and its far-reaching effects; and to examine the agitation that, after more than a century and a half, finally resulted in the removal of all those forms of regulation of the press known collectively as "taxes on knowledge." The historian is hampered in his use of the press unless he knows the nature of the limitations put upon it, the reasons for them, and the effects of these restrictions.

During the reign of Queen Anne, in 1712, the English parliament levied a tax on printed papers, pamphlets, and advertisements, and required a stamp to be placed on every paper that it chose to call a newspaper. This act became, in G. J. Holyoake's phrase, *fons et origo malorum* of the press for more than a hundred and fifty years. The persecution of the press by the government had indeed begun long before the time of Queen Anne in the efforts "to search for scandalous pamphlets and to seize lying pamphlets, presses, or printers," but the Decrees of the Star Chamber, the Orders of Parliament, and the activities of licensers that evoked Milton's *Areopagitica* belong rather to the history of the struggle against the censorship of the press than to the contest for the removal of the taxes on knowledge.

Politicians are past masters in the art of making the worse appear the better reason and their skill was never more clearly shown than in the early years of the eighteenth century when "the arbitrary suppression of individual journals that might be obnoxious to the government, but did not transgress the law, was too impolitic a course to be adopted; and it was therefore

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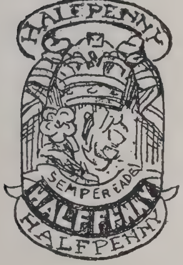
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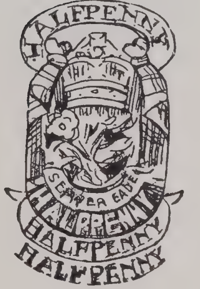
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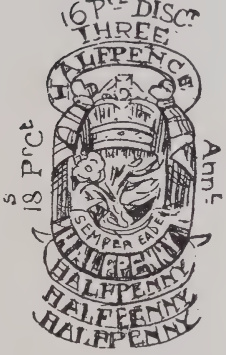
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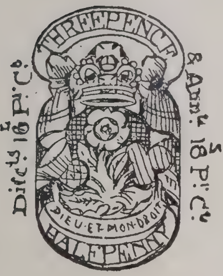
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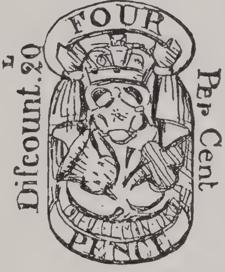
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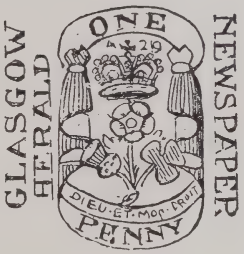
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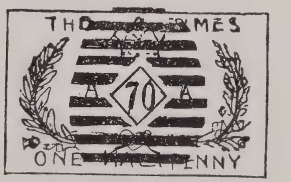
THE TIMES
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British Newspaper Stamps

resolved to impose a general stamp of one halfpenny for every half sheet, upon all periodical publications."[1] In the message Queen Anne sent to the House of Commons, January 17, 1712, "Her Majesty finds it necessary to observe how great license is taken in publishing false and scandalous Libels, such as are a reproach to any government. This evil seems to be grown too strong for the laws now in force,"[2] and the Ministry, in her name, recommended legislation to remedy the mischief. The House of Commons in its reply not only promised the legislation desired, but added the pious object of curbing "the most horrid blasphemies against God and religion."[3] In the resulting taxes laid on printed papers, pamphlets, and advertisements, with "a stamp to be placed on every paper that it chose to call a newspaper," it might have seemed that the desires of the Government would be achieved, but scarcely more than a year later the Queen again expressed her displeasure "at the unparalleled licentiousness in publishing seditious and scandalous libels." Prosecutions had indeed been ordered, "but it will require some new law," the Queen laments, "to put a stop to this growing evil."[4] The taxes levied may have achieved the pious object of curbing "the most horrid blasphemies against God and religion," but incidentally, as Collet remarks, the stamps were to be imposts for thirty-two years, in order to pay the expenses of the war of the Spanish Succession through the £1,800,000 levied by means of a lottery.[5] Great as was the income derived from these new taxes, the income was in itself of secondary importance and "this government device for controlling periodicals was the most comprehensive of all the plans for hampering the opposition press."[6] Swift pointedly remarks that the apprehension of the Government "seems to be confined to those weekly and daily papers and pamphlets reflecting upon the persons and the management of the ministry."[7] In other words, the raising of a revenue was of less importance to a Tory ministry than was the extinction of Whig newspapers.

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[1] William Lee, *Daniel Defoe: His Life and Recently Discovered Writings*, I, 196.

[2] *Hansard*, First Series, VI, 1063.

[3] *Ib.*, VI, 1065.

[4] *Ib.*, VI, 1171,—April 9, 1713.

[5] C. D. Collet, *History of the Taxes on Knowledge*, I.—The text of the act is given in the Statutes of the Realm. Intelligent contemporary opinion in regard to the folly of taxing the press is indicated in Swift's *Four Last Years of Queen Anne*. The effects anticipated from the operation of the act are stated in *The Spectator*, No. 445.

An interesting by-product was a poem, published in London in 1712, called *The Press Restrain'd: A Poem Occasion'd by a Resolution of the House of Commons, to consider that Part of Her Majesty's Message to the House, which relates to the great License taken in Publishing false and scandalous Libels.*

The Act instantly roused not only opposition to its principles, but gloomy forecasts of its success. Swift wrote in his *Journal to Stella*, under date of August 7, 1712 [the act went into effect August 1]:

> "Do you know that Grub Street is dead and gone last week? No more ghosts or murders now for love or money. I plied it pretty close the last fortnight, and published at least seven penny papers of my own, besides some of other people's: but now every single half sheet pays a halfpenny to the queen. The Observator is fallen; the Medleys are jumbled together with the Flying Post; the Examiner is deadly sick; the Spectator keeps up, and doubles its price; I know not how long it will hold. Have you seen the red stamp the papers are marked with? Methinks the stamping it is worth a halfpenny."

Later, Swift chides St. John, the author of the newspaper stamp bill, for not proposing some way of removing political and factious libels, "the law for taxing single papers having produced a quite contrary effect," and he goes on to say that "the mischiefs of the press were too exorbitant to be cured by such a remedy as a tax upon the smaller papers."[8]

The Spectator announces July 31, 1712, "This is the day on which many eminent authors will probably publish their last words. I am afraid that few of our weekly historians, who are men that above all others delight in war, will be able to subsist under the weight of a stamp, and an approaching peace."

Defoe, as Lee states, "had written much on the regulation of the press, and deplored the licentious and irreligious publications of the age," but that the prevailing abuses could be lessened by a stamp duty he did not believe, and the duty was objectionable in itself since "to tax any Trade so that it cannot subsist under the payment, is not a means to raise the Money, but to destroy the *Trade*," and he goes on to show that, "as a source of revenue, the Act would be futile" and that "there can be no doubt that the intention is to suppress the newspapers." [9]

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[6] D. H. Stevens, *Party Politics and English Journalism*, p. 76.

[7] J. Swift, *The Four Last Years of the Queen;* J. Holland Rose, "The Unstamped Press, 1815–1836," *English Historical Review*, October, 1897, 12: 711–726.

[8] J. Swift, *The Four Last Years of the Queen.*

But there was no organization to protest against the enactment or the enforcement of the law, and the regulation of the press secured through the stamp duties was accepted as cheerfully as the conditions permitted. Defoe wrote in *Mist's Journal* and in *Applebee's Journal* many a "caution to journalists," bidding them take warning by the disasters of other journalists, and to see how easy it were to turn their papers "to many useful chearful and entertaining Subjects, besides Politicks," and that "'tis Time enough to be hang'd when there is something before us that deserves to have an honest Man hang for it; and when that Time will be, is not our present Enquiry." He proceeds to show them the better way in saying, "So many of our Bretheren have lately been in Tribulation, [*i. e.*, in prison] that for our own Security we think the best, we don't say the truest, Account we can give of the affairs in Scotland, is to say we dare know nothing of the Matter." But he goes on to say that "the Whigs tell us, etc.," giving a full report of the matter in question from a Whig point of view. Defoe's clever pen gives an enlightening view of the condition of the press during the time of his connection with it,—all the more enlightening because of the indirect method. It is, he says, "*Reasons of State*" that make it convenient for him to be dull to-day; and he describes the trial and execution for high treason of "young Mr. Matthews, the Printer" for printing the pamphlet *Vox Populi Vox Dei*. If he reports a "worthy Gentleman" as saying that "to set Authors, Printers, and Publishers, etc. on the Pillory was the most equal, just and retaliate Punishment that could be devised by them," he agrees that journalists have it "in their Power, and often their Practice, to set all Mankind on the Pillory every Day;" and he gives Applebee "a friendly hint not to fall on the private Characters of Men and Families,—not to sacrifice the Reputation of perhaps innocent Gentlemen to your Jest,—or to the Benefit of a Paragraph."

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[9] William Lee, *Daniel Defoe*, I, 199.

We can see the twinkle in his eye as Defoe reminds Applebee of the duties of journalists, saying that it is "not the Business of a Writer of public Things to distinguish himself warmly in Party Disputes—and especially not to fall upon Superiors—Making Reflections upon our Governors and Government, whether oblique or direct, is, in my Opinion, the worst way of speaking Evil."

"For my Part," says Defoe, "when the Government says there is a Plot, I say there is a Plot also. When Men are taken up and sent to Gaol, I am mighty apt to say it is for something; because I think the great Managers of Public Affairs never take up Men for Nothing." Defoe's collected writings contain many most interesting letters, especially to *Mist's Journal* and *Applebee's Journal*, that indicate by satire and the indirect method the fear of the press to speak frankly and fully concerning public affairs.

Thus the matter virtually remained for half a century. Governmental regulation of the press through stamp duties was accepted as inevitable and lack of organized protest emboldened the government to use the press to secure its own ends. The inevitable result was a retaliation on the part of the opposition that showed itself in malice and rancor, and the result of this was in turn retaliation on the part of the government press. The vicious circle was completed when Robert Walpole, appreciating the use that could be made of the press subsidized it through the secret service funds, while contemptuously stating that he did not often read the papers of either party.[10]

In the middle of the century the attempted regulation of the press through stamp duties assumed new phases. The opposition to these duties flamed up in America, less because of the regulation of the press thereby entailed than because of the revenue obtained through these duties without the consent of those on whom they were levied. The object of England in levying these duties in America had obviously been for purposes of revenue rather than from a desire to regulate the press. The press in

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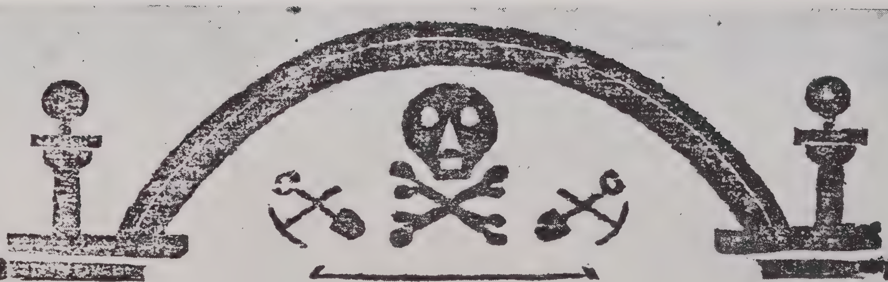
[10] *Hansard*, December 2, 1740, XI, 881.

M. Percival gives an excellent sketch of the warfare between the pamphlets supported by the Ministry and the newspapers maintained by the Opposition during the Walpole period, *Political Ballads Illustrating the Administration of Sir Robert Walpole*, pp. XIII–XIX.



Thurſday, *October* 31, 1765. NUMB. 1195.

THE PENNSYLVANIA JOURNAL; AND WEEKLY ADVERTISER.

EXPIRING: In Hopes of a Reſurrection to LIFE again.

I AM ſorry to be obliged to acquaint my Readers, that as The STAMP-ACT, is fear'd to be obligatory upon us after the *Firſt of November* enſuing, (the *fatal To-morrow*) The Publiſher of this Paper unable to bear the Burthen, has thought it expedient

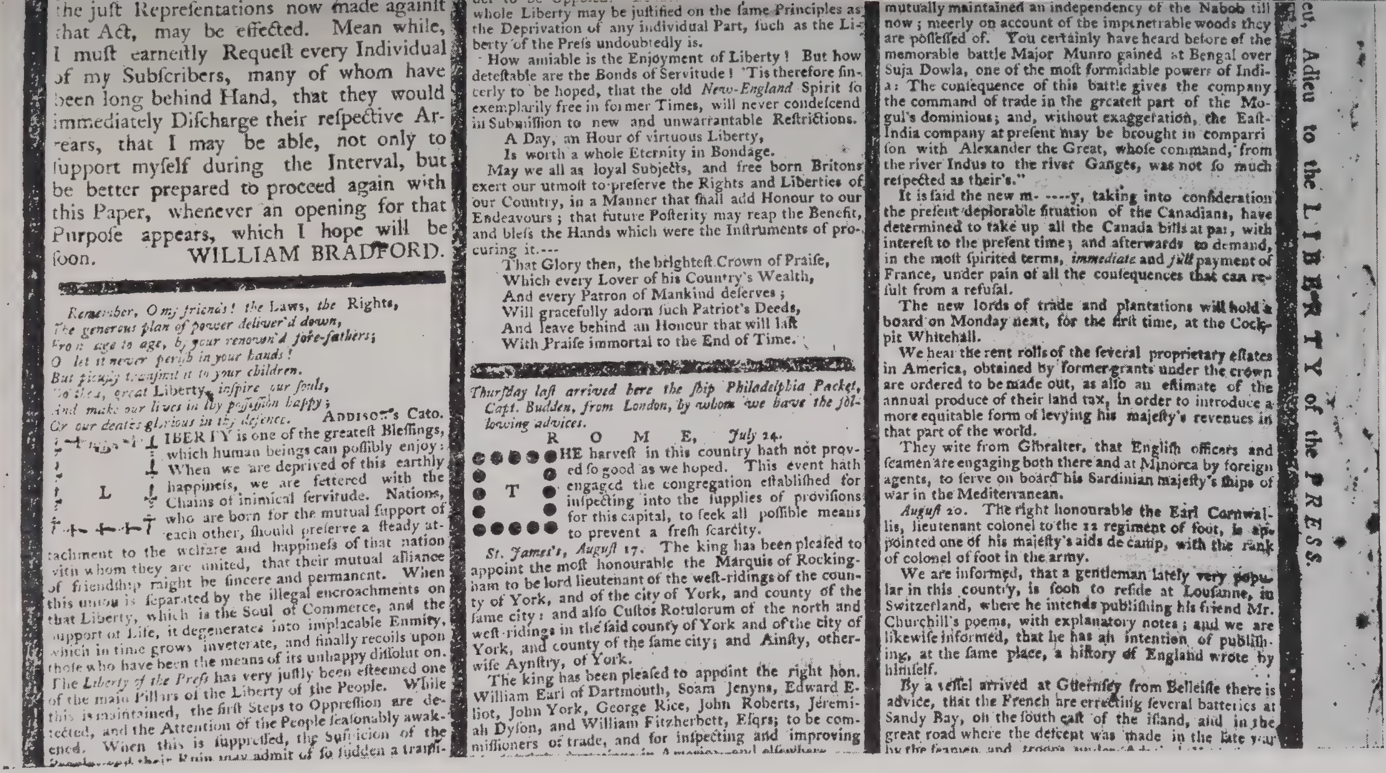
And in all political Diſorders the more contented we are under them, ſo much the worſe are they, and ſo much the worſe are we for them. It is a very happy Circumſtance attending public Virtue and public Spirit, that the more it is vilified, the more illuſtrious it always appears. No Falſhood formed againſt it can proſper, for it at once detects and confutes the darkeſt and moſt inveterate Calumny. But although public Virtue cannot be affected by the Indulgence of the moſt unlimited Freedom of ſpeaking or writing, yet Oppreſſion and Tyranny as it derives all its Influence from its Secrecy, may be extremely benefited by the Reverſe. For this reaſon, in Countries ſubjected to the inſatiable Demands of Power and Avarice, the firſt Attempts to inſpire People with a

Cadiz, July 23. Letters brought by the laſt poſt from Gibralter ſay, the report before ſpread, that the Algerines have killed their Dey, and declared war againſt all the European powers except England and France, proves not true.

LONDON.

Auguſt 17. On Thurſday at the king's arms tavern in Cornhill, an elegant entertainment was given by the committee of North-American merchants to Richard Glover, and Charles Garth, Eſqrs; when thoſe gentlemen received the thanks of that body, for their endeavours to prevent the ſoldiery from being billeted upon the private houſes of their fellow-ſubjects in America.

Part of a letter from an officer in the Eaſt-India ſervice,



eu, Adieu to the LIBERTY of the PRESS.

the juſt Repreſentations now made againſt that Act, may be effected. Mean while, I muſt earneſtly Requeſt every Individual of my Subſcribers, many of whom have been long behind Hand, that they would immediately Diſcharge their reſpective Arrears, that I may be able, not only to ſupport myſelf during the Interval, but be better prepared to proceed again with this Paper, whenever an opening for that Purpoſe appears, which I hope will be ſoon.

WILLIAM BRADFORD.

Remember, O my friends! the Laws, the Rights,
The generous plan of power deliver'd down,
From age to age, by your renown'd fore-fathers;
O let it never periſh in your hands!
But piouſly tranſmit it to your children.
To thee, great Liberty, *inſpire our ſouls,*
And make our lives in thy poſſeſſion happy;
Or our deaths glorious in thy defence. ADDISON's Cato.

L IBERTY is one of the greateſt Bleſſings, which human beings can poſſibly enjoy: When we are deprived of this earthly happineſs, we are fettered with the Chains of inimical ſervitude. Nations, who are born for the mutual ſupport of each other, ſhould preſerve a ſteady attachment to the welfare and happineſs of that nation with whom they are united, that their mutual alliance of friendſhip might be ſincere and permanent. When this union is ſeparated by the illegal encroachments on that Liberty, which is the Soul of Commerce, and the ſupport of Life, it degenerates into implacable Enmity, which in time grows inveterate, and finally recoils upon thoſe who have been the means of its unhappy diſſolution. The *Liberty of the Preſs* has very juſtly been eſteemed one of the main Pillars of the Liberty of the People. While this is maintained, the firſt Steps to Oppreſſion are detected, and the Attention of the People ſeaſonably awakened. When this is ſuppreſſed, the Suſpicion of the

whole Liberty may be juſtified on the ſame Principles as the Deprivation of any individual Part, ſuch as the Liberty of the Preſs undoubtedly is.

How amiable is the Enjoyment of Liberty! But how deteſtable are the Bonds of Servitude! 'Tis therefore ſincerly to be hoped, that the old *New-England* Spirit ſo exemplarily free in former Times, will never condeſcend in Submiſſion to new and unwarrantable Reſtrictions.

A Day, an Hour of virtuous Liberty,
Is worth a whole Eternity in Bondage.

May we all as loyal Subjects, and free born Britons exert our utmoſt to preſerve the Rights and Liberties of our Country, in a Manner that ſhall add Honour to our Endeavours; that future Poſterity may reap the Benefit, and bleſs the Hands which were the Inſtruments of procuring it.---

That Glory then, the brighteſt Crown of Praiſe,
Which every Lover of his Country's Wealth,
And every Patron of Mankind deſerves;
Will gracefully adorn ſuch Patriot's Deeds,
And leave behind an Honour that will laſt
With Praiſe immortal to the End of Time.

Thurſday laſt arrived here the ſhip Philadelphia Packet, Capt. Budden, from London, by whom we have the following advices.

R O M E, *July* 24.

THE harveſt in this country hath not proved ſo good as we hoped. This event hath engaged the congregation eſtabliſhed for inſpecting into the ſupplies of proviſions for this capital, to ſeek all poſſible means to prevent a freſh ſcarcity.

St. James's, Auguſt 17. The king has been pleaſed to appoint the moſt honourable the Marquis of Rockingham to be lord lieutenant of the weſt-ridings of the county of York, and of the city of York, and county of the ſame city: and alſo Cuſtos Rotulorum of the north and weſt-ridings in the ſaid county of York and of the city of York, and county of the ſame city; and Ainſty, otherwiſe Aynſtry, of York.

The king has been pleaſed to appoint the right hon. William Earl of Dartmouth, Soam Jenyns, Edward Eliot, John York, George Rice, John Roberts, Jeremiah Dyſon, and William Fitzherbett, Eſqrs; to be commiſſioners of trade, and for inſpecting and improving

mutually maintained an independency of the Nabob till now; meerly on account of the impenetrable woods they are poſſeſſed of. You certainly have heard before of the memorable battle Major Munro gained at Bengal over Suja Dowla, one of the moſt formidable powers of India: The conſequence of this battle gives the company the command of trade in the greateſt part of the Mogul's dominions; and, without exaggeration, the Eaſt-India company at preſent may be brought in comparriſon with Alexander the Great, whoſe command, from the river Indus to the river Ganges, was not ſo much reſpected as their's."

It is ſaid the new m- ----y, taking into conſideration the preſent deplorable ſituation of the Canadians, have determined to take up all the Canada bills at par, with intereſt to the preſent time; and afterwards to demand, in the moſt ſpirited terms, *immediate* and *full* payment of France, under pain of all the conſequences that can reſult from a refuſal.

The new lords of trade and plantations will hold a board on Monday next, for the firſt time, at the Cockpit Whitehall.

We hear the rent rolls of the ſeveral proprietary eſtates in America, obtained by former grants under the crown are ordered to be made out, as alſo an eſtimate of the annual produce of their land tax, in order to introduce a more equitable form of levying his majeſty's revenues in that part of the world.

They wite from Gibralter, that Engliſh officers and ſeamen are engaging both there and at Minorca by foreign agents, to ſerve on board his Sardinian majeſty's ſhips of war in the Mediterranean.

Auguſt 20. The right honourable the Earl Cornwallis, lieutenant colonel to the 12 regiment of foot, is appointed one of his majeſty's aids de camp, with the rank of colonel of foot in the army.

We are informed, that a gentleman lately very popular in this country, is ſoon to reſide at Louſanne, in Switzerland, where he intends publiſhing his friend Mr. Churchill's poems, with explanatory notes; and we are likewiſe informed, that he has an intention of publiſhing, at the ſame place, a hiſtory of England wrote by himſelf.

By a veſſel arrived at Guernſey from Belleiſle there is advice, that the French are errecting ſeveral batteries at Sandy Bay, on the ſouth caſt of the iſland, and in the great road where the deſcent was made in the late war

"TAXES ON KNOWLEDGE" IN AMERICA

America, however, had had at least the advantage over other classes in society that suffered from the Stamp Act in that it could both express and circulate its protests against the Act. Newspapers were printed as usual, but many appeared with a death's head in the place where the stamp should have been, and they took an active part in kindling the mind of the public against the authors of the Act.[11]

In England the question of stamp duties was temporarily merged in that of positive freedom of the press as represented in the case of John Wilkes, and that of prosecutions of printers growing out of the publication of the *Letters of Junius*. The flame died out in America when the two countries parted company, while in England the rising tide of the French Revolution encouraged the suppression of public opinion in every form.

Much nagging, pinpricking regulation of the press had followed that of the reign of Anne, but the French Revolution "roused the Parliament of the day to place fresh fetters on the Press."[12] Legislators surpassed their previous records in the number and in the variety of the expedients they devised for regulating the press in England and for controlling the mail service of newspapers between England and other countries, the object being "not to bring a number of the opponents of the Government to utter grief, but to suppress all expression of discontent."[13] By 1799, the newspaper stamp "had been imposed for eighty-seven years, and Parliament had come to consider every printer as the raw material of a traitor."[14]

The end of the Napoleonic wars brought fresh regulation of the press, but the climax did not come until 1820 when the most important legislation as yet affecting the press was passed by Parliament. The preamble of the bill discriminated between public news and comments on news, and the Act was directed against "pamphlets and printed papers containing observations on public events and occurrences tending to excite hatred and contempt of the Government and Constitution of these realms as by law established, and also vilifying our holy religion."[15] With a multiplicity of details, a newspaper was defined, and differentiated from a pamphlet, its status and that of pamphlets was fixed, the price of stamps determined, and a security system established. Stamp duties were extended to "pamphlets containing remarks on any matter in Church or State published at intervals not exceeding twenty-six days, and sold at less than 6d." It was further provided that "publishers of a newspaper must, under penalty of £20, enter into a bond of £400 or £300, together with sureties, in case the paper contained a blasphemous or seditious libel—every editor being assumed to be a criminally disposed person and naturally inclined to blasphemy and sedition. Every person possessing a printing-press or types for printing, and every type-founder was ordered to give notice to the Clerk of the Peace. Every person selling type was ordered to give an account of all persons to whom they were sold. Every person who printed anything also had to keep a copy of the matter printed, and write on it the name and abode of the person who employed him to print. The printer was treated as an enemy of the State, and compelled to become an informer." So elaborate, complicated, and involved was the legislation passed, so numerous were the direct and inferential exceptions made for its administration that all members of the press might well have despaired of ever being emancipated from the guidance of authority. The situation was saved only because, in the words of Collet, "the motives of the tax gatherers in their office of guardians of the British Constitution and of 'our holy religion' [were] much purer than their victims have supposed them to be."[16]

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[11] William Nelson, *Some Account of American Newspapers*, in *New Jersey Archives*, First Series, vols. II, XI, XII, XIX.

Other accounts may be found in J. T. Buckingham, *Specimens of Newspaper Literature*. 2 vols. 1850.

[12] C. D. Collet, *History of the Taxes on Knowledge*, I, 13.

[13] *Ib.*, I, 14.

[14] *Ib.*, I, 16.

Thus in the early years of the nineteenth century, the shackles of the English press seemed if possible more firmly riveted than ever before. "It was a perilous time for the newspaper press," Charles Knight writes of the period about 1812, "for the people were discontented, and the authorities were sensitive."[17] Nothing seemed more clear at the time than that the deliberate intention of the Government to regulate the press, as seen in the Act of 1712, had been and still was the *causa causans* for the retention of the newspaper stamp duties. It was the violation of the laws affixing such duties that was the ostensible reason for the prosecution of the press by the Government throughout the first half and more of the nineteenth century. While more than one prosecution had its origin in an article criticising the Government, it remained true that the unstamped press was the only part of the press that ventured on criticism and the Government therefore felt secure in the legal justification of such prosecution.

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[15] The contents of the Act are summarized by Collet, I, 17–31 and by G. J. Holyoake, *Sixty Years of an Agitator's Life*, I, 274–275.

[16] C. D. Collet, *History of the Taxes on Knowledge*, I, 21.

[17] *Passages of a Working Life*, I, 132.

The authorities were indeed sensitive to all criticism both of a general and of a specific character, for they must have been conscious that abundant reason for criticism existed. The separation of the American Colonies; "the sullen murmur" that, in the early days of the French Revolution, Pitt heard from Yarmouth and Sheffield to Aberdeen and Dundee of "Liberty and Equality! No Excise! No King!";[18] the demands for Parliamentary reform and the later demands of the Chartists; the rising tide of political and social democracy; all these gave the press opportunity for legitimate criticism of governmental policies and negations. But the powerful press that could pay stamp duties did not avail itself of the opportunity of criticism; the weak, ephemeral press was persecuted by the authorities for evading the payment of duties and it was thus often scurrilous and abusive.

Sensitive as was the Government to criticism of its general foreign and domestic political policy, it was, if possible, even more apprehensive of specific criticism. Military flogging was a forbidden subject of editorial comment, and William Cobbett was fined £1,000 and imprisoned for two years for his strictures on this policy,[19] while similar punishment was meted out to others.[20] When in 1817 Lord Sidmouth suspended the Habeas

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[18] E. Stanhope, *Life of William Pitt*, I, 175–176.

[19] E. I. Carlyle, *William Cobbett*, pp. 143–179.

[20] "Mr. Drakard, the printer of the *Stamford News*, had commented with honest indignation on what he called 'the most heart-rending of all exhibitions on this side hell—an English military flogging,' for which he was tried at Lincoln, found guilty, and sentenced to eighteen months imprisonment, to a fine of £200, and to give security to be of 'good behaviour' during three years after liberation."—A. Prentice, *Historical Sketches and Personal Recollections of Manchester*, p. 35.

Corpus Act, Cobbett was again in trouble and decided on flight to America. Harriet Martineau's comment was that "the entire course of these proceedings was a signal failure. There was only one solitary instance of success—William Cobbett ran away." [21] But Cobbett did not run away without writing a letter "Taking leave of his countrymen" which, however, did not appear until after he had sailed. The total result of his prosecution was that "the day Lord Sidmouth suspended the Habeas Corpus Act in order to enable him to silence Cobbett was the day on which the reformers virtually triumphed." [22]

The Government also regulated the discussion of other subjects besides flogging. The habits and tastes of the Prince Regent were sacrosanct, and, because of their criticisms on him in the *Examiner*, John and Leigh Hunt were on trial four times,—acquitted three times, but as a result of the fourth trial, each was fined £1,000 and they were imprisoned two years, by refinement of cruelty, in separate prisons.[23] Charles Knight says, that "any statement of fact, or any comment upon occurrences that might be supposed to affect private character, were constantly made the subject of actions, got up by rapacious attorneys, speculating upon that love of litigation which was then specially characteristic of the English." [24]

These instances may be considered prosecutions for libel rather than illustrations of regulation of the press through stamp duties, but they indicate the fears preying on the minds of the authorities that led them to resist all efforts to relinquish such hold on the press as was given them through these taxes.

The results of these efforts to regulate the press were such as might have been anticipated. A sharp line of demarcation came to be drawn between those newspapers that obeyed the law and those that did not,—between the stamped and the unstamped press. The large, influential papers paid the stamp without protest since the stamp carried with it free postage; much capital was required to start a paper—Edward Lytton Bulwer in 1834 estimated it at £30,000–£40,000 [25]—and the stamped papers therefore had a monopoly which they would lose if the duties were relinquished; the tax thus became in effect a charter to existing newspapers. Leigh Hunt, in 1830, showed the ratio between the cost of a newspaper and the tax levied on it by thus printing the price of the *Examiner:* [26]

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[21] H. Martineau, *History of the Peace*, I, 143.

[22] Lewis Melville, *The Life and Letters of William Cobbett in England and America*, II, 78.—The Letter is given, II, 81–83.

The case for the Government is given by G. Pellew, *Life of Lord Sidmouth*, III, Chap. XXXII.

[23] Leigh Hunt, *Autobiography*, I, Chap. XIII.

[24] *Passages of a Working Life*, I, 134.

Paper and Print	3d	7d
Taxes on Knowledge	4d	

The stamp duties not only raised the price of newspapers in England, but they raised the price of English papers on the Continent from a quarter to half a dollar each, while in 1829 the postage of an English daily delivered in France for one year was £3, 6s., 3d.[27] How interwoven were the questions of the stamp and of postage was made clear by Sir Rowland Hill when he said:

"To pass freely through the post, a newspaper, like a letter, had to be franked by a peer or a Member of Parliament. But no pretence was ever made that the signatures were genuine; and not only was anybody at liberty to write the name of peer or Member, but the publishers themselves were accustomed to issue the newspapers with their customer's name and address, and the franking signature already *printed* on each cover! Indeed, were this useless form to be disregarded, the paper was counted as an unpaid letter, and became liable to a charge of perhaps several shillings." [28]

The result of this system was inevitably subterfuge and deceit, carried to an extent best described by Sir Rowland Hill when he says:

"It is probably no exaggeration to say that hundreds, if not thousands, of newspapers were annually posted which no one particularly cared to read. Yet it is certain that many a recipient eagerly welcomed the paper sent him even though he might rarely unfold its pages. As newspapers went free—or nominally did so, for after all the postage was indirectly taken out of the pocket of the man who invested 5d. in every copy of his 'daily'—and letters, except those which passed between members of the privileged classes, did not, the newspaper came to be a frequent bearer of well-disguised messages from one member of the unprivileged classes to another. The employment of inks of different colours, of variations in modes of writing names, callings, and addresses, and even peculiar flourishes executed by the pen, conveyed valuable information to him who received the paper, and enabled many tradesmen to keep up a brisk correspondence without contributing a farthing to the revenue." [29]

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[25] *Hansard*, May 22, 1834, Third Series, XXIII, 1195.

[26] J. C. Francis, *John Francis, Publisher of the Athenaeum*, I, 14.

[27] J. Holland Rose, "The Unstamped Press," *English Historical Review*, October, 1897, 12: 711–726.

[28] Eleanor C. Smyth, *Sir Rowland Hill*, p. 46.

It was an axiom in excise legislation that if a commodity were taxed above fifteen per cent, smuggling followed, but newspapers were taxed more than one hundred per cent and therefore there was an enormous circulation of all kinds of contraband publications.[30]

And if the stamp led to double dealing on the part of the public, it led to solemn pronouncements on the question as to whether it was legal to let out stamped papers for hire, and the decision that such hire was contrary to law, and that debts thereby incurred were not recoverable.[31]

The English Tory Ministry in 1712, with the ostensible desire of curbing "scandalous libels" and "horrid blasphemies," but with the probable desire of curbing the Whig press, had passed the stamp act that carried in its train a press monopoly, an almost prohibitive price for newspapers, equivocal dealing by the public, and farcical legal decisions. Yet this was but a small part of the harvest of misery gathered during the years that ensued.

It has been said that a sharp line was drawn between the stamped and the unstamped press. The stamped press was content, but its very satisfaction with things as they were tended to rouse hostility on the part of those without the pale. Unstamped papers had always been printed and circulated, but, for the most part, they had been ephemeral in character and had appealed to a degraded taste. The press in general about 1812 was at ebb tide,—Charles Knight says that at that time there were fewer than a hundred country newspapers throughout all England,[32] and down to the time of the abolition of the stamp duties, London was the only city that had a daily paper.[33] Expense of materials, poor facilities for distribution, excessive taxes, and consequent high prices made the newspaper a luxury of the rich, put a premium on ignorance of all current events, and "rewarded every man content to live in this world without being of it."

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[29] E. C. Smith, *Sir Rowland Hill*, p. 58.

[30] *Hansard*, House of Commons, May 22, 1834, Third Series, XXIII, 1196.

[31] J. C. Francis, *John Francis*, I, 194.

J. C. Francis states that the first person fined under the Act of George III on which this decision was based (23 Geo. III, c. 50) was a stationer who was convicted July 2, 1790, for lending out a newspaper contrary to the statute. *Id.*, Note.

But about 1815 many things combined to give a new impetus to the unstamped press. Additional taxes were imposed on the press as a convenient means of raising an after-war revenue and because the demand for news was great, but these very considerations roused a spirit of defiance on the part of those affected by them. Mechanical invention was lessening the cost of production,[34] and the growing demand for news and for information in regard to political reform gave a great impetus to the press. The situation is best described by a contemporary who writes:

> "When Lord John Russell introduced the Parliamentary Reform Bill in 1831, the stamp on English newspapers was fourpence. The ordinary price of a newspaper was sevenpence. The interest excited by the Reform Bill created a great demand for newspapers among thousands to whom sevenpence was a prohibitive price. This demand was supplied by publishing newspapers without a stamp in defiance of the law. Some persons did this to make a living by supplying a want. Others were actuated by indignation at the restriction of political knowledge. These ran great risks and suffered serious penalties."[35]

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[32] *Passages of a Working Life*, I, 132.

[33] "Taxes on Literature," *Westminster Review*, April, 1830, 12: 416–429.

[34] Charles Knight notes the amazement attending a new printing machine used by *The Times* by which "no less than eleven hundred sheets are impressed in one hour." He says he well knew "the great bodily exertion which up to that time was required of two men working at the common press, to produce two hundred and fifty impressions of one side of a newspaper in an hour."—*Passages of a Working Life*, I, 162.

[35] G. J. Holyoake, *Sixty Years of an Agitator's Life*, I, 275.

See *Life and Struggles of William Lovett*, pp. 49–53, for the petty persecutions suffered by members of the "British Association for Promoting Cooperative Knowledge," who circulated its reports.

It was obvious that those most anxious for political information and those most in need of it could not buy sevenpenny papers and that "a penny paper could not pay a four-penny stamp." In 1831, there were but twelve legal newspapers in all England; these had free postage and had in effect all the privileges of a monopoly. The important unstamped weeklies numbered eight.[36] "The field of public instruction," says Collet, "was therefore left open only to those who were poor enough to have little to lose by breaking the law." [37]

Among these was Henry Hetherington, not the first but the most conspicuous of the early publishers who flung defiance at an unfair and unreasonable law. He brought out, July 9, 1831, "*The Poor Man's Guardian;* a weekly newspaper for the people. Established contrary to Law, to try the power of 'Might' against 'Right.' Price 1d.," and with its appearance the battle was on between the Government and the unstamped press, for this declaration of intention to defy the law quickly produced the result expected. It was indicated in the change that came in Number 159 with the adoption of a new motto reading "The Poor Man's Guardian, a weekly paper for the people. This Paper (after sustaining a Government prosecution of three years and a half duration, in which upwards of five hundred persons were unjustly imprisoned and cruelly treated for vending it) was, on the Trial of an Ex-Officio Information filed by His Majesty's Attorney-General against Henry Hetherington, in the Court of Exchequer, before Lord Lyndhurst and a Special Jury, declared to be A Strictly Legal Publication." [38]

The *Poor Man's Guardian* was published for more than three years. During this time, every device was used to distribute the paper in defiance of the law, the presses of the editor were confiscated more than once, he himself was later described by *The Times* as one "familiar with the inside of every jail in the kingdom," five hundred men were sent to jail for selling *The Poor Man's Guardian*, and a jury finally, by a strictly illegal decision,

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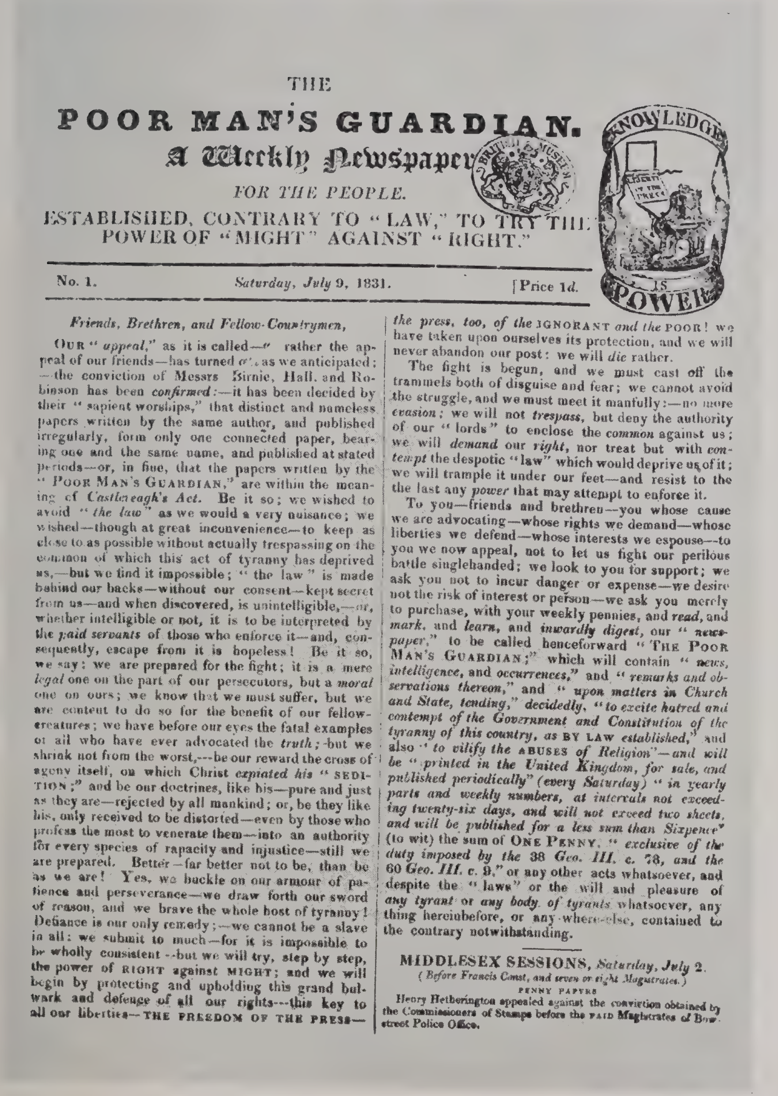
[36] J. H. Rose, "The Unstamped Press," *English Historical Review*, October, 1897, 12: 711–726.

[37] C. D. Collet, *History of the Taxes on Knowledge*, I, 25.

[38] *Poor Man's Guardian*, June 21, 1834. This number contains the report of the trial.



THE

POOR MAN'S GUARDIAN.

A Weekly Newspaper

FOR THE PEOPLE.

ESTABLISHED, CONTRARY TO "LAW," TO TRY THE POWER OF "MIGHT" AGAINST "RIGHT."

No. 1. *Saturday, July 9, 1831.* [Price 1*d.*

KNOWLEDGE
LIBERTY OF THE PRESS
IS
POWER

Friends, Brethren, and Fellow-Countrymen,

OUR "*appeal,*" as it is called—or rather the appeal of our friends—has turned out, as we anticipated;—the conviction of Messrs Birnie, Hall, and Robinson has been *confirmed:*—it has been decided by their "sapient worships," that distinct and nameless papers written by the same author, and published irregularly, form only one connected paper, bearing one and the same name, and published at stated periods—or, in fine, that the papers written by the "POOR MAN'S GUARDIAN," are within the meaning of *Castlereagh's Act.* Be it so; we wished to avoid "*the law*" as we would a very nuisance; we wished—though at great inconvenience—to keep as close to as possible without actually trespassing on the common of which this act of tyranny has deprived us,—but we find it impossible; "the law" is made behind our backs—without our consent—kept secret from us—and when discovered, is unintelligible,—or, whether intelligible or not, it is to be interpreted by the *paid servants* of those who enforce it—and, consequently, escape from it is hopeless! Be it so, we say: we are prepared for the fight; it is a mere *legal* one on the part of our persecutors, but a *moral* one on ours; we know that we must suffer, but we are content to do so for the benefit of our fellow-creatures; we have before our eyes the fatal examples of all who have ever advocated the *truth;*—but we shrink not from the worst,—be our reward the cross of agony itself, on which Christ *expiated his* "SEDITION;" and be our doctrines, like his—pure and just as they are—rejected by all mankind; or, be they like his, only received to be distorted—even by those who profess the most to venerate them—into an authority for every species of rapacity and injustice—still we are prepared. Better—far better not to be, than be as we are! Yes, we buckle on our armour of patience and perseverance—we draw forth our sword of reason, and we brave the whole host of tyranny! Defiance is our only remedy;—we cannot be a slave in all: we submit to much—for it is impossible to be wholly consistent—but we will try, step by step, the power of RIGHT against MIGHT; and we will begin by protecting and upholding this grand bulwark and defence of all our rights—this key to all our liberties—THE FREEDOM OF THE PRESS—*the press, too, of the* IGNORANT *and the* POOR! we have taken upon ourselves its protection, and we will never abandon our post: we will *die* rather.

The fight is begun, and we must cast off the trammels both of disguise and fear; we cannot avoid the struggle, and we must meet it manfully:—no more *evasion;* we will not *trespass,* but deny the authority of our "lords" to enclose the *common* against us; we will *demand* our *right,* nor treat but with *contempt* the despotic "law" which would deprive us of it; we will trample it under our feet—and resist to the the last any *power* that may attempt to enforce it.

To you—friends and brethren—you whose cause we are advocating—whose rights we demand—whose liberties we defend—whose interests we espouse—to you we now appeal, not to let us fight our perilous battle singlehanded; we look to you for support; we ask you not to incur danger or expense—we desire not the risk of interest or person—we ask you merely to purchase, with your weekly pennies, and *read,* and *mark,* and *learn,* and *inwardly digest,* our "*newspaper,*" to be called henceforward "THE POOR MAN'S GUARDIAN;" which will contain "*news, intelligence,* and *occurrences,*" and "*remarks and observations thereon,*" and "*upon matters in Church and State, tending,*" *decidedly,* "*to excite hatred and contempt of the Government and Constitution of the tyranny of this country, as* BY LAW *established,*" and also "*to vilify the* ABUSES *of Religion*"—*and will be* "*printed in the United Kingdom, for sale, and published periodically*" *(every Saturday)* "*in yearly parts and weekly numbers, at intervals not exceeding twenty-six days, and will not exceed two sheets, and will be published for a less sum than Sixpence*" (to wit) the sum of ONE PENNY, "*exclusive of the duty imposed by the 38 Geo. III. c. 78, and the 60 Geo. III. c. 9,*" or any other acts whatsoever, and despite the "laws" or the will and pleasure of *any tyrant* or *any body of tyrants* whatsoever, any thing hereinbefore, or any where else, contained to the contrary notwithstanding.

MIDDLESEX SESSIONS, *Saturday, July 2.*

(Before Francis Const, and seven or eight Magistrates.)

PENNY PAPERS

Henry Hetherington appealed against the conviction obtained by the Commissioners of Stamps before the PAID Magistrates of Bow-street Police Office.

THE POORMAN'S GUARDIAN

declared the paper to be a strictly legal publication. It was not by such decisions that the laws regulating the press were to be repealed.[39]

Between 1830 and 1836, there were seven hundred and twenty-eight prosecutions for selling unstamped papers,[40] two hundred and nineteen of them were in 1835 and a large proportion in the first two months of 1836. One editor was in hiding and another in prison until he could pay a fine of £600 and the heavy costs of the trial.[41] Edward Lytton Bulwer said in the House of Commons, May 22, 1834, that "during the present administration from three hundred to four hundred persons had been imprisoned for merely selling unstamped publications in the streets. . . . Instead of silencing fanaticism, they had exalted the fanatic into a martyr." [42] With this opinion J. H. Rose agreed in saying later that the outbreak of seditious libel was the result of the shackles placed on the press by the Government, not the cause of them.[43] Graham Wallas in turn found confirmation of this opinion in the effect the prosecutions had on Francis Place. "The revival," he says, "by Scarlett, the Attorney-General of the Whig Government, of the barbarous press prosecutions, and the attempt to alter the stamp duty on newspapers, and to increase the stringency of the law against the proprietors, had thoroughly roused him." [44] But even Francis Place found it impossible to rouse his friends in the House of Commons to a full realization of the situation and "he sometimes lost patience completely."

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[39] A. Heywood, a Manchester bookseller, testified before the Select Committee on Newspaper Stamps that seven hundred and fifty persons had been imprisoned for selling unstamped papers. He had himself been imprisoned four months and no compensation had been given him, although in his and in all these cases the imprisonment had been illegal.—*Report of Committee*, pp. 383–384.

[40] The numbers given by different persons vary slightly.

[41] Graham Wallas, *Life of Francis Place*, p. 348.

[42] *Hansard*, Third Series, XXIII, 1197.

[43] J. H. Rose, "The Unstamped Press," *English Historical Review*, October, 1897, 12: 711–726.

[44] *Life of Francis Place*, p. 191.

A. Heywood stated before the Select Committee on Newspaper Stamps: "The law is so stringent that no man with any sense would attempt to publish; they not only seize his property, but his person; they take the whole plant."—*Report of Committee*, p. 384.

Yet the trial of Henry Hetherington and other press prosecutions, if they did not result in an immediate and total repeal of all laws regulating the press, did result in some modification of them. Debates in the House of Commons in 1832, in 1834, and in 1836 at least secured a substantial reduction in the advertising duty, in the compulsory stamp tax, and in the paper duty. The beneficial results were seen in the lessening of the number of unstamped papers and in the slackening of prosecutions, and the new laws were almost unchallenged for twelve years. But the principle of the right of regulation remained as long as a single farthing of duty was collected by the Government. The kinsmen in spirit of John Hampden, who two hundred years before had resisted the collection of a five-shilling ship-money tax, and of those, who in America a hundred years before had resisted the imposition of stamp duties, were still active and it was but the calm before the storm.[45]

The regulation of the press that continued in England for more than a hundred and fifty years apparently grew out of the fear that knowledge on the part of masses would be subversive of good government; that the existing government would be subject to a criticism assumed by government itself to be unmerited; that the object of government was to protect government; and that the lower and the middle classes of society were greatly to be feared. The question was summed up by W. J. Fox in saying that taxation of knowledge assumed that information was a luxury to be confined to the higher orders.[46]

The result of the policy was that it put a premium on ignorance —"the stamp duty checked legitimate knowledge and encouraged the diffusion of contraband ignorance"—, but this in the opinion of its supporters was altogether desirable.[47] At the same time it gave protection to high class papers,—the tax was in effect a charter to existing newspapers. It was not they who complained of the monopoly. As Edward Lytton Bulwer pointed out, "it was the public, it was the Government, it was order, it was Society that suffered." [48]

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[45] "The causes of this calm" are discussed by C. D. Collet, I, 63–79.

[46] W. J. Fox, "The Morality of the Press," *Finsbury Lectures*, No. VI, *Collected Works*, VII, 160.

[47] Lord Sandon had stated during the great debate on the repeal in 1836: "Newspapers are so cheap in the United States, that the generality even of the lowest order can afford to purchase them. They therefore depend for support on the most ignorant class of the people. Everything they contain must be accommodated to the taste and apprehension of men who labour daily for their bread, and are of course indifferent to refinement either of language or of reasoning."—*Hansard*, House of Commons, June 20, 1836, p. 649.

The unstamped press thus became a free lance, without responsibility, and Francis Place notes that between 1830 and 1836 there were about a hundred and fifty unstamped papers in circulation, "most of them very poor stuff." This meant a tendency to degrade the public taste, as has been indicated; [49] to lower the tone of the legal journals; to lessen respect for law through defiance of law; and to give, indirectly, cause for this lessening of respect on the part of the more progressive element through the absurd decisions sometimes rendered against the unstamped press. It led everywhere to evasion. William Cobbett, it has been found, was the first editor of the nineteenth century to evade the tax by publishing his news letter on an unfolded sheet,[50] but systematic concerted plans to evade the law became a matter of high principle when the organized plans for repeal were formed. These direct methods of evasion were often designed to show the absurdity of the laws, and the "concerting of plans for the irritation of the Commissioners of Stamps" [51] became both an occupation and a diversion. The agitation for parliamentary reform, the Chartist movement, the revolutionary movement on the continent, and the Crimean War all brought a constantly increasing demand for news and for opportunity for discussion, and the agitators for repeal found abundant opportunity for exercising their ingenuity. One device was to issue four monthly chronicles in four successive weeks to be called *Collet's War Chronicle*, *Moore's War Chronicle*, *Hoppey's War Chronicle*, and *The War Chronicle*, and also a smaller *War Fly Sheet*. These were edited by G. J. Holyoake and were issued to test the law of the newspaper stamp tax, and a penalty of £20 was incurred on each number issued, or a total of £600,000 if the penalties had been enforced.[52] A young paralytic already editing "a paper which, being of magazine length and breadth, though not of magazine thickness, had not been honoured by the attention of the Inland Revenue," was readily persuaded to edit the *Stoke-upon-Trent Narrative of Current Events*, and later the *Potteries Free Press*, in order to show the absurdities of the law requiring that monthly newspapers should come out on a specified day.[53] Another device was to discover some small, unstamped provincial paper, "genially overlooked" by the Commissioners, force their attention to it, and when heavy penalties had been prescribed, to inquire why *Punch* and the *Athenaeum* were allowed to evade the law.[54] The literature and the documents of the period are replete with accounts of the humorous situations in which those called upon to enforce contradictory laws were placed by their cheerful but persistent opponents.

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[48] *Hansard*, House of Commons, May 22, 1834, Third Series, XXXIV, 649.

[49] J. H. Rose, "The Unstamped Press, 1815–1836," *English Historical Review*, October, 1897, 12: 711–726.

[50] *Op. cit.*

[51] J. M'Cabe, *Life and Letters of George Jacob Holyoake*, I, Chap. XII.

But if the picture has to-day its entertaining features, the underside of the picture had its darker aspects. Unfair, unreasonable legal restrictions gave rise to deceit and evasion; newspapers were smuggled; and learned discussion ensued comparable to those credited to mediaeval scholiasts. For the owners and editors of the unstamped journals, successful prosecution meant, as it did in punitive censorship, heavy fines, long terms of imprisonment, and constant anxiety. It has not been alone for questioning the authority of church or state, for treating of subjects forbidden to it by authority, for libels of every definition, that the press has felt the heavy hand of the law. Subjects the most innocuous conceivable, if published on unstamped paper, or in violation of any of the provisions of the regulations governing the issuance of newspapers, brought to the journals the danger of prosecution. Richard Carlile spent nearly ten years of his life in prison.[55] Henry Hetherington published several unstamped newspapers "with news in every column," and for thus contravening the law was more than once imprisoned.[56] He had at first attempted to evade the stamp by publishing at irregular intervals a letter, always having a different title, but each signed "The Poor Man's Guardian," but the law held that the publication was a periodical and further publication was prohibited. It was this that at once decided Hetherington to forego evasion and to publish his newspaper boldly.

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[52] C. W. F. Goss, *Descriptive Bibliography of the Writings of G. J. Holyoake*, pp. xlv–xlvi; J. M'Cabe, *op. cit.;* C. D. Collet, *History of the Taxes on Knowledge*, II, 1–25.

[53] C. D. Collet, I, 155–158, 179–187; J. McCabe, I, 165.

[54] J. M'Cabe, *Life and Letters of George Jacob Holyoake*, I, 263.

[55] Theophila Carlile Campbell, *The Battle of the Press as told in the Story of the Life of Richard Carlile by his Daughter*. Appendix IV gives a list of the various imprisonments of Richard Carlile from 1817 to 1834, amounting in

For the legal stamped press, petty annoyances were entailed since the continuity of their issues was interrupted whenever the printer was not supplied with stamped paper,[57] and postage must be paid before the newspaper could be printed.[58] The Society for the Diffusion of Useful Knowledge could not treat of matters relating to Church and State without first obtaining a stamp.[59]

The prosecutions of the press continued many years,—Holyoake himself was said to be "the last person against whom a warrant was issued by the Crown, for publishing unstamped

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all to nine years, seven months, and seven days.—See also G. J. Holyoake, *The Life and Character of Richard Carlile.* In his article on Carlile in *The Dictionary of National Biography*, Holyoake says that "he lived to discern that sensation is not progress and denunciation is not instruction, and by his want of consideration in speech he created a dislike of the truth he vindicated. The faults of Carlile will be forgiven in consideration of his having done more than any other Englishman in his day for the freedom of the press."

Holyoake sums up Carlile at his best in saying that "he not only resisted the fetters upon the press, but he inspired others to resist."—*Sixty Years of an Agitator's Life*, I, 189.

It seems probable that in the case of Carlile the character of his writings and of those that he sold entered into his prosecutions and imprisonments quite as much as did the publication of unstamped newspapers.

[56] G. J. Holyoake, *Sixty Years*, I, 275–276.

[57] T. N. Brushfield, *The Life and Bibliography of Andrew Brice*, p. 21.

[58] "Before a word could be printed on any newspaper the blank sheet had to be taken to the Stamp Office to receive the impress of the duty stamp, and therefore prepayment of newspaper postage was secured. It may be that when the stamp duty rose to 3d and 4d, the official conscience was satisfied that sufficient payment had been made; and thus the franking signature became an unnecessary survival, a mere process of lily-painting and refined gold-gilding, which at some future time might be quietly got rid of. If so, the reason becomes evident why the forgery of franks on newspapers was viewed with leniency, the authorities having, by means of the stamp, secured their 'pound of flesh.' "—Eleanor C. Smyth, *Sir Rowland Hill: The Story of a Great Reform*, p. 47.

[59] *Hansard*, May 22, 1834, Third Series, XXIII, 1209.

newspapers in support of the society for repealing the taxes on knowledge,"[60]—but although Roebuck declared in 1834, in the great debate on the repeal, that it was impossible to put down the unstamped press, it was still thirty years before the taxes were swept away.

The regulation of the press had ostensibly been begun in the interests of good government and it was openly continued on the plea of raising a revenue. The policy of regulation once initiated, it became increasingly difficult to secure any relaxation of such regulation, and increasingly easy to add tax after tax to those originally placed on the press. Taxes, in the form of stamp duties, were levied on newspapers, on advertisements, and on paper; security was demanded that printers would pay fines imposed for "blasphemous or seditious libel;" registration was required and notification of the possession of printing presses or types demanded. With constant additions to the press laws, no repeal of existing provisions, little effort in the direction of consolidation, interpretation, or modification to meet new conditions, it is not surprising that when organized effort was made to secure the repeal of the obnoxious taxes on knowledge the promoters of this endeavor found an almost hopelessly confusing situation. In 1836 the Chancellor of the Exchequer, Thomas Spring Rice, proposed consolidating the one hundred and fifty statutes imposing any form of stamp duty and making one act, but "what was gained in clearness was to some extent made up for by increase of stringency."[61] In spite of attempted definition on the part of the law, it was impossible to know whether what constituted a newspaper was determined by the frequency or the regularity of its appearance; its superficial area in square inches or the number of its pages; its publication of public or of private news; to know what constituted "news;" the difference between news and remarks, observations, comments, or opinions thereon; the effect of its publication as a whole issue or in separate parts; its retention of a single name or the change of name with each or frequent issues; the transfer of publication to a locality exempted from the operation of the press laws; the use of distinctive dies; the reprinting of special articles; the difference between a newspaper, a periodical, and a pamphlet; the use of blank pages, or what effect a change in the price of a newspaper would have on its circulation, on the attention it would receive from stamp collectors, or on its liability to prosecution at the hands of the government.

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[60] C. W. F. Goss, *Descriptive Bibliography of the Writings of G. J. Holyoake*, p. xlvi.

[61] S. S. Sprigge, *Thomas Wakley*, pp. 291–301; C. D. Collet, *Taxes on Knowledge*, I, 41–62.

The situation is best known through the Report of the Select Committee on Newspaper Stamps that met from April 15 to July 11, 1851.[62] The Committee owed its existence to an interview given Milner Gibson by Lord John Russell and it obviated, says Collet, "the necessity of a motion in the House of Commons. 'Hansard' for 1851 has not a word about the Taxes on Knowledge." [63] Its chairman was Milner Gibson, Richard Cobden was one of its members, and many of those who gave evidence before it were members of the Association for Promoting the Repeal of the Taxes on Knowledge that had been organized the previous February.[64]

[62] The Committee held fifteen sessions and its minutes and the evidence taken fill nearly seven hundred pages.

It is of interest to note that Horace Greeley was in London at this time and was asked by the Committee to appear before it. He gave important testimony in regard to the press in America that had a wide circulation because it was both excellent and cheap. His testimony fills seventeen pages of the Report—in itself it constitutes an admirable description of the American press at that time—and it apparently made a very favorable impression on the Committee.

[63] C. D. Collet, *History of the Taxes on Knowledge,* I, 146–150.

[64] An account of the organized efforts to secure the total, absolute, and final repeal of all taxes on knowledge is found in the works, or in the autobiographies and biographies of all those connected with the agitation,—notably in C. D. Collet, *History of the Taxes on Knowledge;* J. Francis, *Notes by the Way;* H. Vizetelly, *Glances Back Through Seventy Years;* Graham Wallas, *The Life of Francis Place;* W. J. Linton, *James Watson*, and *Memories;* John Morley, *Life of Richard Cobden;* the numerous works of G. J. Holyoake;—these are but a few of the large number of works that deal with the question from the standpoint of the members of the Society. The other side of the question is probably best represented in Hansard's *Debates* covering the previous years; the defenders of taxes on knowledge have not apparently been numerous enough to justify the republication or the history of the defence.

The connection between the movement to abolish taxes on knowledge and other liberal movements of the same period is noteworthy. Many of the men who took a prominent part in the Chartist agitation were identified with the repeal of taxes on knowledge. The relation between the two is best stated by Julius West who says: "From the agitation against 'the taxes on knowledge'

It is impossible to read the minutes of the evidence taken by this Committee without realizing that fear—fear of all things known and unknown—had been the controlling influence behind the Government in its dealings with the press, and also without realizing the enormous difficulties that confronted the new association organized to repeal all taxes on knowledge.

Not only did the new Association have to meet the "intricate absurdities" of the stamp acts, but they had to contend with the tortuous processes of reasoning that had been involved in their enactment and enforcement. The Government had repeatedly changed its position in regard to the reasons for continuing the duties,—at one time the reason assigned had been to protect the government against blasphemy and libel, at another for purposes of revenue, later it had declared that "the fiscal aspect of the Newspaper Stamp in question is most insignificant," and again that the duties, especially the paper duty, were necessary for meeting the budget expenses and hence could not be repealed. The policy of the Government at one time had been to suppress cheap papers, at another to promote the sale of dear ones.[65] It had prosecuted newspapers for evasion of the stamp laws, for violation of these laws, for their contents that had been judged to be subversive of the interests of the State, or of the Church or of morality, or of good taste.[66] It had at times prosecuted newspapers with the utmost severity, meting out heavy fines and long imprisonments to some, although not to all, transgressors,[67] and

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intellectual working-class Chartism had arisen. To the agitation against the same taxes, intellectual working-class Chartism, eleven years later, returned. . . . More than any other fact of the movement, this emergence from and return to the agitation against 'the taxes on knowledge' marks Chartism as a protest against ignorance."—J. West, *History of the Chartist Movement*, p. 260.

[65] Collet, I, 75.

[66] An account of the difficulties suffered by the press under all forms of stamp duties is given by A. Sinclair, *Fifty Years of Newspaper Life, 1845–1895*.

[67] W. Carpenter was imprisoned and fined £120 for publishing *Political Letters*.—H. Hetherington for publishing *The Poor Man's Guardian* twice suffered a six months' term of imprisonment and his presses were more than once seized and confiscated. Heavy fines were imposed on him for publishing *The Conservative*.—Collet, I, chap. 2; *Notes and Queries*, November 23, 1872, Fourth Series, X, 415–416.

the number of prosecutions was large, accepting even the lowest estimates.[68]

The difficulty was increased by the very duration of these taxes. It had been practically one hundred and fifty years since the first of them had been levied,—no person living could remember an unstamped press and for five generations the traditions of the right of authority to impose such regulations on the press had persisted almost without question or protest. Inertia, the line of least resistance, contentment with the *status quo*, reverence for the existing order, possession of the field, had all combined to make the task of agitation for repeal one of almost superhuman difficulty. Moreover, no adequate means existed for carrying on the agitation for the repeal. The legal stamped press had a monopoly of the field and did not care to share their privileges with others or to be deprived of them for the sake of others. Where to-day similar restrictions on the press are fought in America by large influential organizations commanding every avenue of appeal to public opinion, in England the agitation that immediately led up to the repeal was sponsored by a committee of ten persons who met in a private house March 7, 1849, and that never, Holyoake says, had an average income of £300 a year. Its difficulties seemed insuperable since the paper tax was opposed by the publishers, the advertising tax by the merchants, and the stamp tax by the people in general, but the number was small who agreed in opposing any and every form of taxation on the newspaper press.

The difficulty was again increased by the division of opinion among the friends of repeal, one group favoring a movement for the collective and simultaneous repeal of every species of taxes on knowledge, and another group supporting the repeal of the various taxes one by one. The group favoring the immediate and collective repeal was made up of those who objected to all taxes on knowledge *per se*, while the members of the second group objected for personal reasons to some special tax that had been found disadvantageous; the newspaper proprietors favored the repeal of the paper duty but wished the stamp duty to remain,[69] while the merchants wished the advertising duty removed, and the people in general wished to concentrate their efforts on the repeal of the newspaper stamp.

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[68] G. Wallas says that between 1830 and 1836 there were seven hundred and twenty-eight prosecutions for selling unstamped papers, two hundred and nineteen of them in 1835 and a larger proportion in the first two months of 1836.—*Life of Francis Place*, p. 348.—Thomas Frost says that Henry Hetherington estimated the number of persons sentenced to imprisonment for selling unstamped newspapers at five hundred, but that Mr. Heywood stated that the number was seven hundred and fifty.—*Forty Years' Recollections*, p. 8. Note.

For the full statement of Heywood, see *ante*, p. 195.

It was through the group supporting immediate, unconditional, absolute and collective repeal that the reform was secured.[70] It was aided through the slight concessions that had been made during the fifteen years immediately preceding; in 1833 the advertising duty had been lowered, in 1836 the stamp tax had been reduced to 1d, but the agitation of the early 'thirties had proved abortive and for some years the "newspapers were patronized by the Government." It seems probable, however, that much of the work done earlier was to bear fruit. At the time of the agitation that resulted in the total repeal of all taxes on knowledge, many lines converged from different directions and the focusing of all discussion on this one subject of reform secured the desired result. Publicists like Cobden had long believed that taxes on knowledge were pernicious in their influence and after the repeal of the corn laws Cobden felt free to work directly and indirectly for the repeal of these equally objectionable duties. He told Mr. John Cassell, 1850, that he believed the newspaper stamp to be the greatest grievance that the democracy had in the whole list of fiscal exactions. "So long as the penny lasts," he said, "there can be no daily press for the middle or working class. Who below the rank of a merchant or wholesale dealer can afford to take in a daily paper at five pence? Clearly it is beyond the reach of the mechanic and the shopkeeper. The result is that the daily press is written for its customers—the aristocracy, the millionaires, and the clubs and news-rooms. The great public cannot have its organs of the daily press, because it cannot afford to pay for them. The dissenters have no daily organ for the same reason. The governing class in this country will resist the removal of the penny stamp, not on account of the loss of revenue (*that* is no obstacle with a surplus of two or three millions), but because they know that the stamp makes the daily press the instrument and servant of the oligarchy." [71] This view seems confirmed by the statement that "Mr. John Wood, the chairman of the Inland Board of Revenue, said this paltry stamp tax, which only brought in about five hundred thousand a year, gave them more trouble than all the rest of the revenue put together, including the income-tax. The committee exerted themselves to increase that trouble, and John Stuart Mill afterwards said that 'the committee converted the department,' which can only be done by compelling the administrators to apply their Acts to rich as well as to poor." [72]

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[69] T. B. Crompton, a Lancashire paper manufacturer who had a proprietary interest in the *Morning Post*, wrote Peter Borthwick, the editor, under date of January 8, 1851, "I am devoting a most inconvenient portion of my time to the repeal of the tax on paper . . . we were determined not to have paper mixed up with taxes on knowledge." R. Lucas, *Lord Glenesk and the "Morning Post,"* p. 65.

Peter Borthwick had written to Disraeli, April 15, 1850, "The advertisement duty and the penny stamp on papers we have no wish to disturb."—*Ib.*, Note.

Already Lord Francis Egerton had, February 25, 1836, presented a petition in the House of Commons signed by seventy of the largest paper manufacturers in the kingdom, saying that the duty imposed on paper was exorbitant, the mode of levying it was oppressive and led to fraud, and was a tax on knowledge.—*Hansard*, Third Series, XXXI, 870.

The previous year Joseph Hume had presented a petition conceived in a somewhat more liberal spirit and signed by nearly all the printers in London asking for the repeal of all taxes on knowledge.—*Hansard*, July 23, 1835, Third Series, XXIX, 951.

[70] "Thus the association which undertook to free the press from all taxation did free it. When it concluded its agitation, advertisements were free. The stamp upon political knowledge was abolished. News was no longer criminal. The exciseman was banished from paper manufactories, and editors were no longer a criminal class who had to give heavy bail for their good behaviour."—G. J. Holyoake, *Sixty Years of an Agitator's Life*, I, 296.

Edward Lytton Bulwer had years before remarked on the cheapness, and therefore the increased circulation, of American newspapers, and showed that the price of an advertisement of twenty lines in a London paper every day for a year would be

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[71] John Morley, *Life of Richard Cobden*, p. 593.

Cobden's belief in the wisdom of removing the taxes never diminished and under date of January 23, 1862, he wrote to Charles Sumner: "There is now a new newspaper Press in the provinces, a daily penny Press, which has grown up since the removal of the stamp, and it presented a marked contrast for moderation with the Metropolitan *Times* and *Post*."—J. A. Hobson, *Richard Cobden the International Man*, pp. 360–361.

[72] G. J. Holyoake, *Sixty Years of an Agitator's Life*, I, 282.

£202, 16s, while the same advertisement in a New York paper for the same time would be £6, 18s, 8d. Since it cost as much to advertise a cheap book as an expensive one, the publisher put out the expensive one and he was thus deprived of the profits that would naturally accrue from the larger circulation of inexpensive works. He urged that the tax on advertising was an obstruction on all branches of trade.[73] This view came to be accepted by all forms of business except in the incidental cases where proprietors feared the opportunities that would thus be given their commercial rivals. The legal press had never opposed the advertising stamp,—it assumed that advertising was a fixed quantity and that the smaller the divisor the larger the quotient and therefore it had a monopoly of advertising as well as of circulation.[74] Their price, about 1843, was sixpence and ninepence each, and thus they "were seen only by the squire or the clergyman, who never lent them to the cottagers." [75]

When the agitation for all forms of stamp repeal came to be urged "the Advertisement duty stood first as being one for which no argument was possible," [76] and its removal proved a great boon not only to trade, but to workers and all using "want" and "situations vacant" columns.[77]

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[73] G. Wallas says that this speech was made from notes provided by Place. —*Life of Francis Place*, p. 337. Note. *Hansard*, June 14, 1832, Third Series, XIII, 629.—A note states "This whole debate is reprinted from a corrected copy, published by authority."

H. Maxwell says that "The practice of withholding information as to the price of books under review in magazines or journals originated in the intention of avoiding the tax on advertisements."—*Life and Times of William Henry Smith*, I, 8. Note.

[74] (H. Brougham), "The Newspaper Tax," *Edinburgh Review*, April, 1835, 61: 181–185; "Taxes on Knowledge," October, 1835, 62: 126–132. See *Selection from the Correspondence of the late Macvey Napier*, p. 161, for a suggestion of an amended article.

[75] G. J. Holyoake, *Sixty Years*, I, 199.

About 1850, newspapers were published weekly in Aberdeen. "Only very voracious readers saw more than one of these, and in most cases the same paper was taken in by two or three together, that the cost might be lightened."—W. R. Nicoll, *James Macdonell*, p. 27.

James Russell says of the Yarrow that news was slow in reaching such remote valleys, especially since the tax restricted the circulation of newspapers. Families sometimes clubbed together and took one paper. When his father had gone to Yarrow "one solitary newspaper, the 'Courant,' served the whole Watergates and even the district beyond." Since the paper was passed from family to family, the news was very old before its destination was reached, and beggars and pedlars were the great newsmongers.—James Russell, *Reminiscences of Yarrow* (2nd ed. 1894), pp. 91–92.

[76] C. D. Collet, I, 191.

But its final repeal was the result of a strategy on the part of Milner Gibson who was the leading spirit in the movement for the repeal.[78] In 1853, Gladstone, as Chancellor of the Exchequer, had reduced the duty on advertisements from 1s. 6d. to 6d. and had been supported in this by the House of Commons, but during the dinner hour when the supporters of the Government were in the minority, an amendment was proposed by E. H. J. Craufurd, at the instigation of Milner Gibson, substituting the word "naught" for "six pence," and the budget passed with a tax of £0., 0s., 0d., on advertisements. "The next morning when Mr. Gladstone awoke, he found his sixpence irrevocably gone," while Craufurd was greeted at his club with "See the conquering Zero comes." [79]

But "the most popular part of the contest against the taxes centered in the repeal of the newspaper stamp." [80]

Many conditions were favorable to this interest. The Crimean War created a demand for news and a new crop of illegal papers sprang up like mushrooms; "the provincial papers had been straining at their bonds" since railways and the telegraph had given them a wider field;[81] the circulation, with approval, of large numbers of unstamped papers was an excellent illustration of the appeal to that "higher law" that has always been made when legislation has lagged behind the moral convictions of considerable numbers of the people; the number of only partially stamped publications was at least two hundred and fifty and all were liable to prosecution,—"if you do not prosecute them all, with what justice can you prosecute one?" was the pertinent inquiry of Sir Edward Bulwer-Lytton in the House of Commons;[82] Edward Miall had reproached the stamped press with being protectionist and thus wishing to retain the privileges of the mails while denying them to others,—thus the House heard nothing of the feeling of the country except through the medium of the proprietors of newspapers;[83] G. J. Holyoake had issued the first number of the *Leader*, March 30, 1850, and in it had written of the lack of work, of the low wages paid and of the hard lot of factory workers in England and added, "As wages fell, we sought to raise them by strikes. They were as fruitless in effect as they were fallacious in theory. Knowing no better, we still went on sowing anxiety and reaping disappointment. All this time, as I have since learned, many newspapers were writing wise words for our enlightenment, but their cost kept them from us." [84] The argument used in the agitation for penny letter postage[85] had applied equally well in the agitation for an equal rate for newspapers,—the day was fast passing when ministers could say as Sir Francis Freeling had done, "To make the Post Office revenue as productive as possible was long ago impressed upon me by successive ministers as a duty which I was under a solemn obligation to discharge." [86] Even twenty years before, Edward Lytton Bulwer proposed a cheap postage on newspapers, periodicals, and works of every kind under a certain weight, and that this postage should be equal, whatever might be the distance, so that the remote parts of the country should possess the same advantage in obtaining knowledge, as those immediately in the vicinity of the metropolis, and therefore requiring information less.[87]

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[77] H. F. Bussey, *Sixty Years of Journalism*, pp. 16–17.

[78] "His successful efforts on behalf of journalism and advertising were recognized by a public testimonial in 1862."—"Thomas Milner Gibson," *Encyclopaedia Britannica*, XI, 944.

[79] Accounts of the final repeal are given by C. D. Collet, *History of the Taxes on Knowledge*, I, 188–203; G. J. Holyoake, *Sixty Years*, I, 283–284.

[80] G. J. Holyoake, *Sixty Years of an Agitator's Life*, I, 275.

[81] C. A. Cooper, *An Editor's Retrospect*, p. 66.

[82] *Hansard*, March 26, 1855.

The result of all the attempted regulation of the press by the English government had been to check the normal development of the press,[88] to burden needlessly the press that was able to stand up under the regulation,[89] and to stop the publication of those newspapers that were not able to meet it or to endure the penalties of withstanding it.[90] It followed as a corollary that the repeal of the taxes increased the circulation of the newspapers then existing and encouraged the establishment of new ones,[91] that the price of newspapers was reduced, that this reduction increased the demand, and that the increase in the demand led to the development of the great English news-agency of W. H. Smith and Sons that quickly carried the newspapers to every part of the British Isles.[92]

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[83] *Hansard*, March 26, 1855; see also A. Miall, *Life of Edward Miall*, *passim.*

[84] J. M'Cabe, *Life and Letters of George Jacob Holyoake*, I, 257.

[85] *Sir Rowland Hill, the Story of a Great Reform*, told by his Daughter; J. C. Hemmeon, *The History of the British Post Office;* A. D. Smith, *The Development of Rates of Postage.*

[86] Cited by J. C. Hemmeon, *The History of the British Post Office*, p. 62.

[87] *Hansard*, House of Commons, May 22, 1834, Third Series, XXIII, 1201. This had been considered a compromise and was vigorously opposed by other supporters of unconditional repeal of all taxes on knowledge. See G. Wallas, *Francis Place*, p. 350; S. S. Sprigge, *Thomas Wakley*, pp. 294, 298; C. D. Collet, *Taxes on Knowledge*, I, 48–49.

[88] Charles Knight writes of the difficulties of starting a paper in Windsor in 1812, saying, "The new paper stamp was there fourpence. The advertisement duty was three shillings, subsequently raised to three shillings and six-

The regulation of the press had begun in England in 1712 through the institution of taxes on knowledge and it had continued for one hundred and fifty-seven years,—the advertisement duty was abolished in 1853, the stamp duty in 1855, and the paper duty in 1861. This long struggle shows that the historian must bear in mind how much militates against his use of the English press as historical material during this century and a half, if he thinks to find in it a complete record of the hopes and

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pence. The blank paper was to be stamped at Somerset House, the payment being in cash, with a discount. . . . No article of consumption, with the exception of salt, was so highly taxed as the Newspaper." And he adds, "A cheap paper was an impossibility."—*Passages of a Working Life*, I, 129.

H. F. Bussey says, "In 1844 there was not a penny paper in the kingdom . . . the stamp tax render(ed) the publication of a penny newspaper impossible."—*Sixty Years of Journalism*, p. 12.

[89] John Walter gave evidence before a Parliamentary committee investigating the question of taxes on knowledge that the three duties imposed on the press amounted annually in the case of *The Times* to £180,000.—H. F. Bussey, *Sixty Years of Journalism*, pp. 15–16.

[90] It has been generally believed that the cessation of *The Spectator* was caused by the imposition of the compulsory stamp, although it continued eighteen weeks after the act went into effect. See J. C. Francis, *Notes by the Way*, pp. 5–6. A different opinion is expressed by C. D. Collet, I, 11–12.

Collet says that the effect of all these restrictions was illustrated by the case of the *Spectator* that "was indebted for a good deal of its news to Socrates, Plato, Cicero and Marcus Aurelius." I, 28.

[91] "On looking at 'The Newspaper Press Directory' for 1856 it is seen at a glance what an impetus had been given by the repeal of the compulsory stamp. Among the new-comers was *The Saturday Review*, started on the 3rd of November, 1855. The opening address stated that 'the immediate motive of coming before the public is furnished by the impetus given to periodical literature by the repeal of the Newspaper Stamp Act.'" The stamp had been abolished in the previous June.—J. C. Francis, *Notes by the Way*, 193.

[92] H. Maxwell, *Life and Times of William Henry Smith*, I, 65–66. It was at this time that this firm became the sole agents for distributing *The Times* in the country outside of the London and Metropolitan districts.

aspirations of all classes of society. How could this be the case when "to make a newspaper respectable," according to the advocates of a newspaper stamp, "it ought to be dear;" when during all this period, the subject had been argued by authority as if it had been merely a question between the tax collector and the newspaper proprietors when it had been in reality one between the tax collector and the public;[93] when it had not yet been discovered that "the increased consumption of a cheapened article in general use makes up for the diminishing price;" when six months before the abolition of the stamp tax there were three hundred and fifty populous English towns having no local newspaper and the beneficial results of its abolition could be seen in the immediate increase in the number published;[94] when it was not yet realized that after all the fiscal side of the situation was the one least worthy of consideration and that the only real issue at stake was that of the immense moral benefits that would result from the repeal; and that but one answer could be given to the question of Thomas Wakley, "Ought the people to get their information wholly and entirely free?"

Is the long struggle for the repeal of the taxes on knowledge to-day a dead issue and has it no lesson for authority in other lands, at other times? Even a cursory examination of world-wide conditions that have prevailed since 1914 must show that, like the king, the desire on the part of authority to regulate the press never dies. In England, from the time of the invention of the printing-press, the belief was honestly held that knowledge was a dangerous thing and that the press must be curbed since it was desirous of teaching the people what they ought not to know. The position of Lord Sidmouth is typical of that of the majority of those in authority whose views can be ascertained. In 1819, he urged the government to call Parliament to consider new measures necessary. "Of those, one of the most important was the regulation of the press which, as he observed to Mr. Caldecot, was 'at present a most malignant and formidable enemy of the constitution, to which it owed its freedom.'"[95] To this position his Lordship had been urged not only by his own deep sense of its importance but also by certain intimations conveyed to him from the Prince Regent who was obviously alarmed by reports of local disturbances. "The Prince Regent, however, is without apprehension for the result, provided your Lordship," so wrote Sir Benjamin Bloomfield, "in conjunction with the law officers of the government, devise some system calculated to repress the publications circulated throughout all the manufacturing districts, and to which his Royal Highness ascribes much of the present unpleasant state of the country."[96]

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[93] Sir Edward Bulwer-Lytton, *Hansard*, House of Commons, March 26, 1855.

Many citations have been made from Sir Edward Bulwer-Lytton. He was chosen by the advocates of the repeal to represent them in the discussions, but much dissatisfaction was later expressed by them because of his willingness to compromise (*ante*, p. 208, Note). It is difficult to-day to see how the case could have been presented with more force and with greater knowledge of the question in all its aspects, not only in England but in other countries, than was done by him at that time.

[94] C. Knight, *Passages from a Working Life*, III, 146–147.—The country papers increased in ten years from two hundred and sixty-one to six hundred and seventy-nine (1865).

C. Mitchell shows that the large number of papers in twenty-three agricultural counties were published in places reached by railway lines, while there were few in the purely agricultural districts reached only by postroads. —*Newspaper Map of the United Kingdom.*

The results of this theory, as they seemed to its opponents, were later stated in the House of Commons by Edward Lytton Bulwer when he said: "You create two [monopolies]—one a monopoly of dear newspapers, and another monopoly of smuggled newspapers; you create two publics; to the one public of educated men, in the upper and middle ranks, whom no newspaper could, on moral points, very dangerously mislead, you give the safe and rational papers; to the other public, the public of men far more easily influenced—poor, ignorant, distressed—men from whom all the convulsions and disorders of society arise (for the crimes of the poor are the punishment of the rich),—to the other public whom you ought to be most careful to soothe, to guide, and to enlighten, you give the heated invectives of demagogues and fanatics."[97]

Thomas Frost has described the horror with which the Tory squires and parsons "viewed the newspapers which, because the working classes could not afford to buy journals bearing a threepenny stamp, appeared without it,"[98] and Charles Knight reminds us of the fear that local papers would start up and print mere parish squabbles and police cases. To meet this situation, a plan was devised for printing in part the weekly newspapers in London and adding local news in provincial small towns,—a plan not remunerative because "the readers in very small towns . . . did not very anxiously desire to see the newspaper made an instrument of education, or for the advancement of objects of public improvement," and one that ultimately gave place to that of sending from London stereotyped matter running from one to twenty-four columns.[99]

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[95] G. Pellew, *Life of Sidmouth*, III, 283.
[96] *Ib.*, III, 283–284.
[97] *Hansard*, May 22, 1834.

To-day the same fear on the part of authority has been shown toward the labor press, the radical press, and even toward the liberal press. The foreign language press has been regulated, by those unable to read its columns, through fear that ill-advised words may be printed; standards of patriotism have been set up to which all members of the press must conform; these standards of political orthodoxy have corresponded to the earlier standards of religious orthodoxy; no criticisms of the Constitution or of the existing order are permitted because the Prince Regents of the hour ascribe to them "much of the present unpleasant state of the country." Espionage acts, trading with the enemy acts, defense of the realm acts, zone postal laws, proposed taxes on advertising, raids on newspaper offices, confiscation of newspaper property,—what are all these and similar measures but a repetition seventy years after the taxes on knowledge were abolished and "intercourse was liberated," of the time-old, world-wide struggle between authority and the protest against it? The struggle of a hundred and fifty years has apparently been forgotten even in England itself; war taxes and war regulations of the press are enforced, forgetting, as ever, that when a newspaper tax was imposed in 1815 it was reduced only in 1835, "when we had been at peace for twenty years. So easy is it to lay a war tax on the nation: so difficult to take it off again."[100] We forget that, in the words of Holyoake, "It was entirely an uphill enterprise to undertake the abolition of these long established, fiercely defended, profitable imposts on ideas. Time and artifice had disguised them from the people most affected by them. Canning accused the people of 'an ignorant impatience of taxation.' He might more reasonably have accused them of ignorant acquiescence in it. Editors of newspapers, fearing competition, were mostly against the repeal of the stamp. Paper makers were against the repeal of the duty on paper, which, being paid in advance, kept small funded competitors out of the field. Even the advertisement duty had its defenders, as it kept rival tradesmen from appealing to the general public." [101]

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[98] T. Frost, *Forty Years' Recollections*, p. 7.

[99] C. Knight, *Passages from a Working Life*, III, 144.

[100] E. C. Smyth, *Life of Sir Rowland Hill*, p. 97.

During all this long period of "a free press terror" and "the 'holy war' of the unstamped press," there was in England no avowed censorship of the press, but its citizens were living under a disguised censorship. Collet found that where there was a recognized censorship, there were no taxes on knowledge, no stamp duties, and generally no paper duty.[102] Other countries at other times have had no avowed censorship, but in its place they have had, nevertheless, a regulation of the press that has been equally effective in restraining all expression of real opinion. Wherever the post office department has been made a means of revenue; where postal zones have been established; where, as in England, "a tax of two hundred per cent was levied on political intelligence;" where authority by every device attempts to stifle discussion, even with the assumed laudable desire of preventing the press from telling the people what it ought not to know;—wherever these and similar conditions are found the handwriting is on the wall.

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[101] G. J. Holyoake, *Sixty Years of an Agitator's Life*, I, 279–280.

[102] C. D. Collet, *Report from the Select Committee on Newspaper Stamps*, p. 113.

CHAPTER VIII

THE FOREIGN LANGUAGE PRESS AND THE VERNACULAR PRESS

> "Let us not rush to suppress everybody and everything simply because they or it do not agree with us. There is an arrogant Americanism, not new born, but lately taking rapid growth, that belies the spirit of American Liberty. Look to it before you impugn your neighbor's loyalty that by the same tests your own loyalty shall stand."—*Harriman National Bank*, 1918.

> "To create understanding is to create sympathy, and to create sympathy is to create unity. To this mission and to this motto the foreign language press of America is pledged and dedicated."—*E. H. Bierstadt*, 1921.

THE desire of authority for regulating the press has in general found ample scope in the opportunity it has had in prescribing subjects to be avoided, material to be used, and taxes to be levied on it. The relation of authority to the foreign language press has therefore been for the most part in time of peace a friendly one. Newspapers printed in the languages of immigrants are a convenient medium for giving information in regard to the country to which they have come, for establishing a "peaceful penetration" into new conditions of life, and for promoting trade between the adopted and the native country.[1]

In America in particular, the foreign language press, prior to the recent war, greatly flourished and in 1916 it numbered twelve hundred and eighty-six representatives distributed among thirty-three different languages,—Arabic, Armenian, Bohemian, Bulgarian, Chinese, Croatian, Danish and Norwegian, Esperanto, Finnish, Flemish, French, German, Greek, Hawaiian, Hebrew, Hollandish, Hungarian, Italian, Japanese, Lettish, Lithuanian, Polish, Portuguese, Roumanian, Russian, Ruthenian, Serbian, Slovak, Slovenian, Spanish, Swedish, Welsh, and Yiddish.[2] In

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[1] "Why it pays American business men to use the foreign language press" was carried as a full page advertisement in the New York *Tribune*, June 30, 1919, by the American Association of Foreign Language Newspapers, Inc.

[2] N. W. Ayer and Son, *American Newspaper Annual and Directory*, 1916.

1921 the number was given as approximately twelve hundred and eighty-five with an estimated circulation of about eight and a half million.[3] Since about eleven per cent of the foreign born do not read English, these foreign language papers have been of inestimable value. Their chief concern has been to keep their readers in touch with old world affairs and thus to bridge for them the distance between the old world and the new. For the most part, especially while feeling themselves strangers in a strange land, the foreign born are chiefly interested in the affairs of their native country, and hence the chief concern of the foreign language press has been with European news, "and their political fights do not much concern this country. We have a Zionist and an anti-Zionist press, a pro and an anti-Venizelos press and a number of other European and Asiatic factional publications."[4] Life for many of these foreigners would be unendurable if all connection with the homeland were immediately severed, and newspapers in their own language are extremely important in helping them adjust their lives to new conditions.

It must also be remembered, as has been suggested by an authority on the subject, that many read newspapers here who had no opportunity of reading them at home. "In Lithuania, German Poland, Ukrainia, Slovakia, and Hungary the languages of the native people were interdicted. There were in these countries schools and a press but they were conducted in the language of the dominant race."[5] To many it has meant a distinct educational opportunity to be able to read in America newspapers printed in their native language.

Valuable as these papers have been in America during times of peace, the service they have performed in time of war has been equally significant. During the war, says E. H. Bierstadt,

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[3] E. H. Bierstadt, "Foreign Language Press," New York *Times*, February 13, 1921.

On the whole subject of the foreign language press in America, consult the admirable report of E. H. Bierstadt, *The Work of the Foreign Language Information Service*, 1921, and R. E. Park, *The Immigrant Press and its Control*, 1922.

[4] K. Bercovici, "Our Foreign Language Press," New York *Evening Post*, March 23, 1921.

[5] R. E. Park, "Foreign Language Press and Social Progress," National Conference of Social Work, *Proceedings*, 1920, 47: 493–500.

Americans were carefully tutored "in the belief that all foreign-language publications are radical, incendiary and dangerous." But the author shows conclusively that during this period remarkable support was given the American Government through "the millions of words printed in support of the various Liberty loans to which the foreign born subscribed so generously, the enormous space given to all governmental information, and the enthusiasm with which every patriotic effort was met. The native press of America was not one whit ahead of the foreign language press during the war in its support of all war measures."[6] It has been only through the foreign language press that the Government has been able to explain to its citizens of foreign birth the object and the meaning of draft laws, Liberty loans, income tax laws, and every national problem that affects the immigrant. The mutual dependence of the Government and of the foreign language press has been advantageous to both.

An illustration of both the advantages and the disadvantages of the foreign language press may be found in the Cěch press. Most of the Bohemian socialists who came to America were well versed in German and on coming here they translated almost exclusively from German sources, since few of them knew English well enough to translate freely from it. "This meant," says Thomas Čapek, "that they judged America in the light of a foreign dogma and sought to reform it through the medium of a foreign language."[7] But even a cursory examination of the history of the Cěch press shows conclusively that the use in America of the Cěch language, both written and spoken, was but an intermediary process for securing with the utmost facility a better understanding of the adopted country.

But in time of war the situation often seems reversed and the foreign language press, in so far as its representatives are from countries with which the adopted country is in conflict, is held to be only the medium for strengthening the bonds that attach immigrants to the parent country. In the recent war, the question of the foreign language press became particularly acute and in

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[6] This opinion in regard to the success of advertising the Liberty loan is confirmed by R. E. Park, *The Immigrant Press and its Control*, p. 446.

[7] Thomas Čapek, *The Cěchs in America*, p. 144. See especially the chapter on "Journalism and Literature," pp. 164–221.

America it was charged with being disloyal and seditious, fomenting discontent, hindering recruiting, assailing conscription, persuading men to desert, opposing the manufacture of munitions, giving aid and comfort to the enemy, attacking the conduct of the war, slurring the army, hampering the government, censuring the courts, sneering at liberty loans or ignoring them, scoffing at the idea of "democracy," jeering at America and the Allies, promoting class war and racial detachment; with suppressing the news from London and Paris, with printing subsidized propaganda, with being "nothing but the American branch of the Berlin and Vienna press bureaus," with being "in the pay of the Kaiser," with being pro-German, or anti-English, with accepting subsidies from foreign governments and in turn corrupting the editors of smaller papers, with encouraging hatred of England, "knocking" England, and opposing England in every way, with efforts to embroil America and Japan, with upholding the Kaiser, with so distorting the news as to make it favorable to the Kaiser, with keeping immigrants aliens, with attempting to Germanize America rather than Americanize Germans, with distorting and garbling the news, with failing to file translations, with filing false translations, with reprinting extracts from German papers, with "general disaffection," with use for propagandist purposes against the government, and finally, with being fed with old world ideas, and with being unnecessary because only a luxury for the intellectually indolent.

To what extent these charges were true, and if true, to what extent they justified government regulation of the foreign language press is apart from the question.[8] The immediate effect of the agitation against the foreign language press, and particularly against the German-American press, was the organization of "drives" and "crusades" against the press in an effort to "crush" it. These "crusades" were often instigated by society leaders, by officers of the army and navy, by clergymen, by editors of rival papers, by various patriotic organizations, and they were carried on by persons unauthorized by government or by authority in any form. The crusades included demands for boycotting in every way the foreign language press; for the entire suppression of the press printed in the languages of the nations with which America was at war; for prohibiting its sale; for the Americanization of the press; for suspending the German language press; for denying the foreign language press the second class mail privilege; for withdrawing from it all business and official advertisements; for fining it, raiding the offices of its representatives, and interning their editors; for requiring that every periodical published here or in adjacent countries should pay a license fee of a cent for each copy of a daily, five cents for each copy of a weekly, and ten cents for every copy of a monthly, —with such a license fee from foreign dailies, "the Government's income would be increased by $125,000 every week day" and the revenue from all forms of foreign periodicals "might fairly be expected to reach half a million dollars a day . . . there can be no good reason for overlooking this source [of revenue], so easily tapped and so fruitful of good in the tapping."[9]

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[8] The question of the truth of the charge is fully discussed by R. E. Park, *The Immigrant Press and its Control*, pp. 193–213, 377–447.

The most extensively planned campaign was that of the National Security League that included a requirement of "a patriotic confession of faith." This organization issued a challenge to the four hundred and fifty German-American papers of the United States to make such a confession, and it provided one "ready to wear." It numbered nine articles and the first read: "I believe that the objects of America in this war are noble, unselfish and that they square with the highest aims of morality and religion," and the second, "I believe that the aims of Germany in this war are sordid, selfish, and opposed to the principles of human liberty."[10] To the surprise of the National Security League, this programme "met a brick wall in the determination of the German-Americans that they will do no such a thing," since they evidently regarded the pledge as an insult in its assumption that all foreign language papers were pro-German.

The somewhat general comment of the American press on the slight success of the League in securing adherents to its programme included notices of the fairly large proportion of "good

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[9] C. F. Goodrich, New York *Times*, June 24, 1917.

[10] The "confession" is given in full in the New York *Times*, August 6, 1917.

Americans" who openly protested against this form of a campaign.[11] The New York *World* constantly objected to "making war on a language," to the wholesale condemnation of all foreign language papers without discriminating between the innocent and the guilty, and it pertinently asked, "Is any German language newspaper so flagrantly disloyal to the United States as Mr. Hearst's New York *American?*" [12]

These efforts to control and even to destroy the foreign language press, especially the German-American press, were based on the belief, as asserted by one member of the press, that "there is not a loyal German language paper in America." [13] It was evident that such assertions were not made after an examination of even a majority of the German language papers in America; that no attempt was made to define loyalty; that no discrimination was made between inoffensive German language papers that supported the Government and powerful American language papers that were more pro-German than the German press itself; that in reality the test applied to the German language press was not loyalty but language; and that there was much ground for the statement of the *World* that "in order to reach a few disloyal German-language publications periodicals of every kind in all foreign languages [were] subjected to vexatious regulation and menace." [14] All alike were included in the demand "the foreign language newspapers must go."

Serious efforts were indeed made to ascertain the views of the German-American press,[15] based on an actual study of the press

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[11] The National Security League was not discouraged by its first lack of success and it subsequently included in its programme, Art. 5, a demand for "*the assurance that foreign language newspapers, and all other similar forms of publication, shall be foreign in language only*, and that they shall at all times faithfully and actively support the Constitution, laws and authority of the United States Government, and the unity and solidarity of American citizenship; *failing which their publication shall be prohibited by law.*"—*A Square Deal for the Public.*

[12] Cited by *Current Comment*, August 7, 1917.

[13] Des Moines, Iowa, *Capital*, cited by the New York *Tribune*, August 13, 1917.

[14] New York *World*, September 21, 1917.

[15] F. P. Olds, "Disloyalty of the German-American Press," *Atlantic Monthly*, July, 1917, 120: 136–140; M. O. Whitton, "The Spirit of the German Press," *Smith Alumnae Quarterly*, February, 1918, 9: 93–97.

C. W. Park gives many extracts from the German language press so grouped as to indicate misgivings as to America's participation in the war;

itself, but the indictment by such articles of the German-American press as a whole seems open to the same criticism that is justifiably made of every general statement; the German-American press was not unanimous in its opinions, as the American-American press was not. The views of a minority, even of the German-American press, seem entitled to consideration. While much propaganda was evidently carried on by this press, there was at least another side, and the study made by Mrs. Whitton[16] was especially noteworthy in its recognition of the difficulty in defining loyalty and in determining "where honest criticism ends and hostile obstruction begins."

As a result of these crusades, the papers of the foreign language press as a whole came under suspicion. Some papers were sold, some suspended publication, others went into the hands of receivers; some "recanted," some were "reconstructed on American lines," some were published entirely in English, others voluntarily published only news and barred all war comment, and some editors joined the National Security League; in some cases the publication office was raided, and in others editors were arrested. Nor did the close of the war bring immediate relief to the foreign language press. The native Indian newspapers were barred from America as late as May, 1919.[17]

To what extent this agitation against the foreign language press was fostered by the American press, to what extent it showed an excess of patriotic zeal in a time when every form of patriotism was at a premium, to what extent the American press anticipated government regulation, and how far it compelled such regulation, are questions that can not be answered. The fact remains that Government regulation quickly followed and under the Trading with the Enemy Act all foreign language papers

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the hopeless outlook for the Allies, the cross-purposes of the Allies toward America and among themselves; the mis-representation of Germany; the urgent need of an early peace; and a defense of the existence of the German language press.—"The Strategic Retreat of the German Language Press," *North American Review*, May, 1918, 207: 706–719.

[16] *Ante*, p. 219, Note 15.

[17] Lajpat Rai stated that the British Indian Government barred the native Indian papers of the advanced school from coming to America and that while he subscribed to half a dozen newspapers and the same number of magazines, he received none except one weekly review of pro-Government views.—*The Nation*, May 10, 1919, 108: 742.

were barred from the mails and from general circulation unless they filed with the postmaster at the place of publication a true translation of all news items, editorials, or other printed matter respecting the Government or any nation engaged in the war. On the presentation of satisfactory evidence, however, foreign language papers might be published under a permit issued by the authority of the President and subject to revocation at his discretion.

The results of government regulation were satisfactory to the Postmaster-General. "Owing to our campaign and to the education of editors of these publications, conditions are improving," said Mr. Burleson. "I think that within another month we shall have very little trouble with any kind of papers." [18] But the fact remains that the Government exercised a direct regulation of the foreign language press through the Trading with the Enemy and the Espionage Acts, and that the regulation began immediately after the laws became effective. After several of the leading foreign language papers were called to account for their utterances, the Washington dispatches announced that "these, however, constitute only the beginning, as newspaper editors and publishers are now being called upon at the average rate of three a day to explain themselves or go out of business." Perhaps it was an inadvertence, but the dispatch added, "Generally, the government's mind is made up before the offending editors are asked to appear. The rest is only a formality." [19] It did not tend to reconcile the opponents of "one of the most drastic pieces of legislation ever passed by Congress" [20] that the administration of the provisions of the legislation was vested in the Postmaster-General. Licenses, under Trading with the Enemy Act, were to be granted only to those newspapers whose records were deemed to warrant confidence that they would not abuse the privileges granted, and it was the Postmaster-General that was charged with posting these licenses or their revocation. Under this legislation the freedom of the mails was soon denied various Croatian, German, Hungarian, Jewish, Russian and Ukrainian newspapers.

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[18] New York *Times*, October 13, 1917.
[19] Washington dispatch, New York *Tribune*, October 3, 1917.
[20] New York *Times*, October 15, 1917.

The report that the Government had determined to stop the Socialist *Volkszeitung*, because it refused an advertisement for a Liberty loan, led *Miller's Weekly*, "one of the patriotic Yiddish papers of the East Side," to inquire whether a newspaper might not, like an individual, be a conscientious objector and oppose all war on principle, and it pointed out that the *Volkszeitung* had refused all advertisements of the war loans of every country.[21]

Whether the results of this regulation of the foreign language press satisfied those at whose behest it had been brought about is uncertain. But it is indisputable that the result of the suppression meant that many citizens of foreign birth, when cut off from the foreign language press, were not able to read anything at all, and learned the events of the day only through the unreliable means of rumor or hearsay. It is not believable that it made for loyalty to America any more than it did for intelligence. For the future historian such regulation gives an interesting record of a state of society where it was possible, in 1918, for a private individual who "assumed leadership in the campaign to suppress German papers in this city [New York]," to cause the largest distributors of newspapers in the city to give an order barring all German language newspapers and magazines from all elevated and subway stations in Greater New York and all other newsstands owned by them.[22] But it leaves him facing a blank wall when he desires to know what were the thoughts and opinions of all persons in America unable to read or to write the American language during the crucial years of the war. Some encouragement may at least be found in the opposition of many intelligent Americans to "those who loudly demand the abolition of everything published in any language they cannot understand." [23]

But it is evident that authority in its desire to regulate the foreign language press has always made a noteworthy exception in favor of the somewhat numerous papers published on foreign soil to meet the transient needs of travelers for pleasure or for business. The introduction of such papers was, indeed, due to a much more serious purpose. James I became the joint king of England and Scotland in 1603, but for many years the indifference of the English to Scotch affairs seemed to the Scotch themselves most lamentable. The newspaper was the means the Scotch used to correct it and in 1642 they began the publication in London of the first of a series of journals intended to inform England concerning Scotland and the Scotch, and these were continued practically until the union of the Scottish parliament with that of England.[24]

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[21] Reprinted in New York *Tribune*, October 18, 1917.

[22] New York *Tribune*, April 23, 1918.

[23] F. C. Butler, "The Problem of the Foreign Language Newspaper," *The American City*, February, 1920, 22: 117–118; *American Architect*, June 30, 1920, 117: 816–817.

The *Annales politiques, civiles et littéraires* of M. Linguet was issued in London, Brussels, and Paris from 1777 to 1792, and was specially noted for its intemperate and eccentric language,[25] while the *Mercure britannique* of M. Mallet du Pan was also published in London in vigorous support of the Royalist party.[26] *Galignani's Messenger* for ninety years catered to the English residents in Paris as the Paris edition of the London *Daily Mail* has since done, and as the Paris edition of the New York *Herald* has for Americans. These latter journals have not been sufficiently serious to rouse in authority the desire to regulate them.

London, however, has always been a center of revolutionary activities and of late years England has had a problem somewhat similar in character to that of America in dealing with its foreign language press, although in extent it has been much less.[27] It has been inevitable that wherever a cosmopolitan community is found and comparative freedom of the press exists a corresponding cosmopolitan press should arise.[28]

The war brought another phase of the foreign language press in the publication by the German government of newspapers in the occupied territories. *Der Landmann* was published in German, French, and Flemish, at the Belgian government printing office in Brussels, and in two and a half years it reached a weekly edition of forty-five thousand. Since it contained all the government regulations relating to agriculture, since it was intended to promote agricultural production in the occupied territories of Belgium and France, and since it was distributed without cost, it may legitimately be classed as an instance of positive control of the press rather than as one of the milder forms of regulation. The same statement must be made of the *Moniteur du Ravitaillement* devoted especially to matters relating to the food administration. The *Gazette des Ardennes*, with a circulation of one hundred and sixty thousand in 1918, was started as an army publication and gave the army bulletins of both sides. In Vilna the German government published a paper in Ruthenian, another paper in Polish, and one for Jews.[29]

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[24] W. J. Couper, "English Journals on Scottish Affairs," *The Edinburgh Periodical Press*, I, 47–55; J. M. McBain, *Bibliography of Arbroath Periodical Literature and Political Broadsides*, pp. 10–11.

[25] E. Hatin, *Bibliographie de la presse périodique française*, pp. 74–76.

[26] *Ib.*, pp. 282–283.

[27] T. W. Wilkinson, "The Newspapers of our Aliens," London *World's Work*, August, 1905, 6: 271–274.

[28] W. R. Shepherd speaks of periodicals published in Buenos Ayres in Italian, French, English, German, Swedish, Danish, Arabic, Turkish, and Hebrew.—*Latin America*, p. 219.

Thus a government may, on the one hand, wish to suppress a foreign language press that it can not control, and, on the other hand, a government may find in a foreign language press the most convenient of all mediums for transmitting its regulations to those of a conquered territory. The nature of the foreign language press, as of all others, must preclude the deduction of any general conclusion in regard to its serviceableness to the historian,—each class serves widely differing purposes.[30]

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[29] Kurt Palm in *Nord und Sud*, April, 1918. C.

[30] An interesting variant was found in many of the French papers started under government influence. The French government, in August, 1914, began publishing a daily for the troops so that the individual soldiers would "constantly measure the importance of their individual effort in the national task and by this thought create among them a generous emulation." M. Messimy to Premier Viviani.—The Paris *Daily Mail* issued a trench edition to keep the troops in touch with home news.—In Bergen-op-Zoom, Holland, a two-page newspaper called *Le Journal des Réfugiés* was started October 15, 1914, not only to give official bulletins from various official bureaus in regard to military operations, but also to serve as a medium of communication between families separated by the war.—The German Crown Prince started, in November, 1914, a field newspaper and arranged with the Wolff agency for a supply of reliable messages.—"Trench editions" of Belgian newspapers also were issued, primarily to re-establish communication between the men on the firing line and their refugee families.

This expedient, too, was not new. Metternich writing of the year 1805 says: "The daily bulletins which are published for the French army, and which inundate Germany and the whole of Europe, are a new invention which deserve the most serious attention. Designed less to report military facts than to mislead the public as to the spirit and principles of our govern-

The vernacular press differs from the foreign language press in being the press issued in the native language of peoples who have come under the jurisdiction of a foreign government either by voluntary association, by conquest, or by treaty relationships. This form of the press has long perplexed the British government, since it has involved the native press of all countries included in the British Empire,—too great regulation has encouraged open rebellion and too little regulation has led to secret sedition.

India has probably presented the most serious problem to the British government in connection with the vernacular press. The question there has been an old one, dating almost from the first occupation of the country by the British; it has been complicated by the long and conflicting jurisdictions exercised in the country by the British government and by the East India Company; it has been rendered almost incapable of solution by the existence in India of nearly one hundred and fifty vernacular languages;—Lord Lytton's Vernacular Press Act of 1878 was, for example, considered defective in that it applied only to publications in the Oriental languages;[31] it has been made still more perplexing by the difficulty of dealing at the same time with the vernacular press and with the English press. The result has been a somewhat vacillating policy that has at times included both censorship and extreme regulation, but that has for the most part left the native press to publish unchallenged what it has pleased,—a policy summed up in the statement, "The Government of India has never sincerely believed that it did not matter what the native press said; it has merely endeavored to believe that it did not matter very much." The difficulties of carrying out such a policy were expressed by Sir Henry Sumner Maine,

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ment and our people, Bonaparte's cabinet thus brings itself into daily contact with all classes of society."—*Memoirs of Prince Metternich*, II, 95.

In a memorandum dated from Berlin, December 5, 1805, he suggests a similar newspaper to be published under the protection of the Allied Powers. He thinks that it should have a political section, a literary section, and "a kind of Fly-sheet."—*Ib.* II, 97.

[31] *Correspondence between the Government of India and the Secretary of State for India on the Subject of "An Act for the Better Control of Publications in Oriental Languages."*

Lady Betty Balfour discusses fully the "Vernacular Press Bill," in *The History of Lord Lytton's Indian Administration*, pp. 502–523.

as cited by Chesney, when he said, "There is no such thing as a workable law of seditious libel in India."[32]

It is significant of the Duke of Wellington's hostility to the press, as shown so vigorously in his later career, that during his administration of India as Lord Wellesley he had introduced a censorship of the press, characterized as "an innovation in Hindoostan." Leicester Stanhope, later Lord Harrington, defended the Indian administration of Lord Hastings and credited him with abolishing the censorship established by Lord Wellesley, yet he found that "the Calcutta Press is still under severe laws or restrictions. Nevertheless, it has indulged in a latitude of discussion unknown to any state except England, America, and Switzerland."[33]

Other writers, however, have taken a less favorable view of Lord Hastings' relation to the press and the evidence seems to be in their favor. The regulations of the Indian press, operative August 12, 1819, prohibited editors of newspapers from publishing "animadversions on the measures of public authorities in England connected with the Government of India, or on the local administration, the Members of Council, Judges of the Supreme Court, or the Lord Bishop of Calcutta. 2dly, Anything calculated to excite alarm or suspicion amongst the natives as to any intended interference with their religion. 3dly, Private scandal or personal remarks tending to excite dissension in society." Editors, moreover, were to be held personally responsible for their careful observance of these rules. The Governor-General of India, on his part, was vested with the power of ordering any British subject, if a native of the United Kingdom, to leave India, and therefore editors were subject to "summary transportation without trial" as a means of coercing the Indian press.[34]

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[32] G. M. Chesney, "The Native Press in India," *Nineteenth Century*, February, 1898, 43: 266–276.

India has probably presented the most serious problem to the British government in connection with the vernacular press, as is indicated by the following articles: Roper Lethbridge, "The Vernacular Press of India," *Contemporary Review*, March, 1880, 37: 459–473; M. M. Bhownaggree, "The Present Agitation in India and the Vernacular Press," *Fortnightly Review*, August, 1897, n. s. 62: 304–313; "The Native Press in India," *Blackwood's*, October, 1897, 162: 579–586; J. D. Rees, "The Native Indian Press," *Nineteenth Century and After*, May, 1901, 49: 817–828; S. M. Mitra, "The Press in India, 1780–1908," *Nineteenth Century and After*, August, 1908, 64: 186–206; J. D. Rees, "Political Assassination in London," *Fortnightly Review*, August, 1909, n. s. 86: 272–281; A. H. L. Fraser, "The Press Law in India," *Nineteenth Century and After*, February, 1910, 67: 227–237; J. D. Rees, "'The Times' and India," *Fortnightly Review*, November, 1910, n. s. 88: 857–865.

The question in India is also an old one, dating at least as far back as 1791.—*Papers Relating to the Public Press in India*, p. 3. These *Papers*, published by the House of Commons in 1858, include a letter from the Chairman and the Deputy Chairman of the East India Company, giving an account of the relations of the Company to the press of India, down to 1823.

In 1827, the Company attempted to regulate the press of Calcutta by imposing a stamp duty of doubtful legality.—*Annual Register*, 1827, pp. 194–195; Harriet Martineau, *History of the Peace*, II, 340–341.

It has also been complicated by the difficulties of dealing at the same time with the vernacular press and the English press.

A. Wright, while giving the greater part of his book to the curiosities of Indian journalism, presents a serious, though brief, survey of the vernacular press in India.—*Baboo English as 'tis Writ*, pp. 7–22.

[33] Leicester Stanhope, *Sketch of the History and Influence of the Press in British India*, London, 1823.

In view of this situation it is not surprising that a few years later "A Friend of Good Government" addressed to Lord Hastings an elaborate argument in favor of a free press in India.[35] The author vigorously disapproved of pre-censorship and with equal vigor advocated a free press as the best protection against sedition and revolution, as also against foreign intrigues. An ignorant people, he protested, especially needed a free, not a privileged, press.

The same opinion was expressed practically a hundred years later by historians[36] of the Bengali press in writing of the *Darpan* which in 1818 published many letters from the people. These letters, they find, "began to throw a flood of light on the condition of the country. They brought forward to the notice of the Government the legitimate grievances of the people and generally voiced the ambitions and aspirations of the country at large. Thus the Bengali Press helped in a great way to spread political knowledge among the masses of the country." As a result of this policy, somewhat imperfectly carried out, it is to be feared, and representing an ideal rather than an achievement, the authors believe that in 1920 "there is less of vituperation in the columns of vernacular papers and more of constructive criticism. . . . If the Vernacular Press is to be the voice of the dumb millions in Bengal it must cease to be undignified and it must learn more and more to be loyal in tone, if ever frank in manner." [37]

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[34] S. Arnot, *A Sketch of the History of the Indian Press during the last Ten Years*. London, 1829.

[35] *Letters to the Marquis of Hastings on the Indian Press, with an Appeal to Reason and the British Parliament on the Liberty of the Press in General*. London, 1824.

[36] Bose and Moreno, *A Hundred Years of the Bengali Press*. London, 1920.

Of late years the fear of seditious libel on the part of the press in India has apparently been merged into a fear of anarchy, and in 1910 a bill was introduced designed to suppress the dissemination of anarchistic literature. It did not create a censorship, but provided for a control of all newspaper and job presses the proprietors of which were required to deposit from $160 to $1,600, to be forfeited upon conviction of an attempt to incite to murder; or to anarchical outrages; or to tamper with the loyalty of the army and navy; or to excite racial, class, or religious animosity; or, in general to subvert the existing order.[38]

But how oppressive and unreasonable these press laws of India seemed is indicated by the evidence given by E. G. Browne, the great authority on the subject of modern Persia. "The law is so stringent," he writes, "that it can, apparently, be employed to suppress historical statements of facts, even if unaccompanied by unfavorable comments and criticisms," and he cites the Delhi *Comrade* of November 13, 1912, as saying: "The Press Act of 1910 has given a rude check to the progress of what is known in the West as the Fourth Estate, and has almost choked the mouth of the Indian Journalist, who gasps at the freedom of writing which is practically enjoyed by the Anglo-Indian section of the Press in spite of the dreaded Act." The *Comrade* supports its judgment by citing a section of the Act that condemns the printing and publishing of "any newspaper, book or other document containing any words, signs or visible representations which are likely to have a tendency, directly or indirectly, whether by reference, suggestion, allusion, metaphor, implication or *otherwise*

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[37] Bose and Moreno, *A Hundred Years of the Bengali Press*, pp. 9, 128–129.

[38] A. H. L. Fraser, "The Press Law in India," *Nineteenth Century and After*, February, 1910, 67: 227–237.

(the italics are ours) to bring into hatred or contempt any class or section of His Majesty's subjects in British India." [39]

Opinions more favorable to the new laws were expressed by Sir Valentine Chirol, who approved them as tending to curb somewhat the unrest and lawlessness then prevalent in India. He fortifies his opinion by many passages from the vernacular press representing the literature of unrest openly circulated in India and illustrating the general demoralization of the native press. These, to the minds of many, justified the prosecutions of the press under the Indian Criminal Code and the press law of 1910,[40] as they had justified to Sir Herbert Risley his introduction of the bill.

But more discriminating is probably the judgment of Joseph Chailley who considered the National Party in India as one of privilege, high caste, and wealth—"really a stranger to the nation on whose behalf it professes to speak." It had as one means of influence an Anglo-vernacular and a vernacular press, and while then less than a hundred years old, the vernacular press was, he believed, a growing power. The English policy in dealing with it had been vacillating,—censorship, mitigation of censorship, abolition of censorship, stamp duties of doubtful legality, restrictions, removal of restriction, control by the Government, represented successive policies that had been tried and abandoned. The hesitating policy had been characterized by press warnings, to be followed, if unheeded, by the suspension of the offending paper; by the starting of governmental or inspired papers to present, expound, and support the opinions, views, and acts of the administration; by obliging newspapers to receive and publish without delay every communication from the Government; and it had been proposed that "each province would have a press bureau whose duty it would be to watch over the native press, to correct its errors, voluntary and otherwise, and to support its appreciations by citing corroborative facts." [41]

In India itself, and among influential Indians, there has been much approval of the existence of a vernacular press, since it has been of great importance in forming a national spirit,—an object presumably not encouraged by the British government. Yet even its supporters have recognized that sedition is more readily disseminated through the press than by other means; that through the increase in the number of Indian journals the tone of Indian journalism has much suffered, since new journals often cater to their readers through the publication of violent and sensational articles; and that it affords an opportunity whereby insignificant men are often made the tools of designing politicians.[42]

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[39] E. G. Browne, *The Press and Poetry of Modern Persia*, p. xxviii, Note.
[40] V. Chirol, *Indian Unrest* (1910), pp. 15–23, 335–337.
[41] J. Chailley, *Administrative Problems of British India* (1910), pp. 166–169.

The final judgment must be the sad recognition by Lord Bryce of a condition where England "found itself unable to apply to the vernacular Indian press its own cherished maxims" and where "British administrators in India were agreed, whatever their school of thought, in holding it unsafe to allow the same liberty to newspapers published in the native languages as might be allowed to all newspapers in Europe or North America." [43]

The political situation of Persia has always seemed somewhat anomalous, but the problems of its press have been evidently allied with those of India.[44] Since the first newspaper, in 1851, was "essentially an official and Court paper; containing Royal decrees, promotions and decorations, Court news, and especially accounts of the personal doings of the Shah," it may be said to have been self-licensed. Its twin-brother was the semi-official organ of the Persian Government. These two papers "were for some time the only papers published within Persian territory; . . . They enjoyed no popularity, but were forced upon Government employés, land-owners, and officers of the State, from whose salaries the subscription was deducted."

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[42] H. P. Mody, *The Political Future of India* (1908), pp. 52–54, 163.

[43] James Bryce, *Modern Democracies*, I, 94.

It is of interest to note that the Report of the Committee appointed by the Government of India to examine the Press and Registration of Books Act, 1867, the Indian Press Act, 1910, and the Newspaper (Incitement to Offences) Act, 1908, was presented to Parliament in 1921. The Committee, after a careful survey of the political situation, an exhaustive examination of witnesses, and a scrutiny of voluminous documentary evidence, recommended the repeal of the Indian Press Act and also of the Newspaper (Incitement to Offences) Act, together with important modifications of the Press and Registration of Books Act.

A bill based on the recommendation of the Committee was introduced into the Indian Assembly, September 15, 1921, but in March, 1922, it was still under consideration.—*Hansard*, Fifth Series, 148: 180; 150: 1036; 151: 1799; 152: 475–476.

[44] These facts and impressions in regard to the press in Persia are derived almost entirely from the various works of Edward G. Browne. It is perhaps unessential to the present purpose to give specific citations to each. Four works bearing directly on the press are: *The Persian Revolution of 1905–1909* (1910), *The Literature of Persia* (1912), *The Persian Press and Persian Journalism* (1913), *The Press and Poetry of Modern Persia* (1914). They give an exceptionally authoritative discussion of the newspapers of Persia and of newspapers in the Persian language published outside of Persia.

Information in regard to the bi-lingual papers published in Bengali and Persian is given in Bose and Moreno, *A Hundred Years of the Bengali Press*, 1920.

"Before the granting of the Constitution in 1906," says E. G. Browne, "such papers as there were were lithographed sheets appearing at irregular intervals and containing no news or observations of interest, but only panegyrics on various princes and governors, and assurances that everybody was contented and happy." All this was changed after 1906. The rapid development of journalism was a marked feature of the Constitutional movement in Persia and it was most marked in 1907. Reports of the debates in the National Assembly began to be given, soon every important town in Persia had its newspaper, and by 1907 the total number of newspapers was said to be about ninety.

All of this progressive development of the Persian press has meant hostility to it on the part of authority. But this very progressiveness has seemed to E. G. Browne to show how unjustifiable was the assertion of the London *Times*, July 2, 1908, that "the free press of Persia . . . proved to be as mischievous and as dangerous as it has proved to be in other Oriental lands," and probably does justify the statement of the author that "the marked hostility of *The Times* to the spread of liberal ideas in the East easily explains such utterances to those who have followed its comments on Asiatic and North African affairs."

Reaching conclusions derived entirely from the examination of a single author whose sympathies are altogether with the vernacular press of Persia, it seems evident that the problems connected with it vary in degree rather than in kind from similar problems elsewhere. Influenced on the one side by Russia whose policy has always been towards extreme regulation of the press, and on the other side by England, whose policy towards the vernacular press has never been wholly consistent, it seems strange that any progress whatever has been made and that conflicts with authority have not been more serious.[45]

The press of each country within the Empire has presented its own difficulties from which there has been no escape. It was kindly General Gordon who at Kartoum attempted to dispose of the whole question of the press in saying, "I would never muzzle the press or its correspondents; they are most useful and one can not be too grateful to them (I own this more than any one), but I certainly think that their province does not extend to praising or blaming a man, for by praising or blaming an assumption is made of superiority, for the *greater* only can do that to the *inferior;* and no newspaper can arrogate that its correspondent is superior to the General (though I declare I think, sometimes, it may be the case)." [46]

The civilian governors of Egypt, however, thought otherwise, and they attempted to meet the difficulties of the press situation, particularly those growing out of the vernacular press and the press of their rivals, by regulation that only brought in turn other difficulties to be met by still other means. Lord Cromer found in 1881 that the civil population was excited by the vernacular press "which attacked Europeans and their systems of government with virulence and appealed to Mohammedan fanaticism. 'We are the prey,' wrote one of these newspapers, 'of two lions, England and France, who are watching for a favorable moment to realize their designs, hidden under a deceptive policy. . . . One day we hope to see our administrations cleared of all Europeans, and on that day we can say that England and France have rendered us a great service, for which we shall really thank them.' 'Some people,' another newspaper wrote, 'pretend that fanaticism is ruinous to progress, yet our best days were those in which we conquered the Universe by devotion to our faith. To-day we have neglected it, and we and our country are in the hands of strangers, but our misfortunes are a just punishment for our sins.'" "Writings of this sort," continues Lord Cromer, "naturally led to retorts from the local European press. A French paper, *L'Egypte*, described Osman, the third of the Khalifs, as 'le fanatique héritier d'un faux prophète.' The editor's life was threatened, and he left the country. His newspaper was suppressed, as was also *El Hedjaz*, a newspaper which had specially distinguished itself by the violence of its language in support of Pan-Islamic views. 'The suppression of this newspaper,' Sir Edward Malet wrote, 'especially while Arábi Bey was still at Cairo, was regarded as a sign of returning authority to the Government; and consequently had the effect of, to some degree, restoring confidence.'" [47]

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[45] A correspondent of E. G. Browne's writes from Persia: "The most remarkable manifestation of the popular awakening is the large increase in the number of newspapers. Not the old, stilted, futile style of paper, but popular journals, written in comparatively simple language. Every one seems to read a paper now. In many of the [coffee houses] professional readers are engaged, who, instead of reciting the legendary tales . . . now regale their clients with political news."—E. G. Browne, *The Persian Revolution*, p. 143.

[46] *The Journals of Major-Gen. C. G. Gordon, C. B., at Kartoum.* London, 1885, p. 42.

A peculiar feature of the vernacular press in Egypt is that it thus so well illustrates how the press of a hostile country can attack its rival in a neutral country. Three Arabic papers, reputed to be subsidized by French money, while under the protection of representatives of France in Egypt, always asserted that France was the friend and England the enemy of Egypt. The press bureau in Egypt authorized and punished papers, but it had no control over papers printed in French, Italian, or Greek. The Capitulations were framed to protect the Christian residents in Egypt and therefore seventeen consuls disputed the authority of the Khedive; hence "any foreigner in Egypt may publish what a native dare not give to the world, provided he is secure in the protection of his consul," [48]—a variant of the vernacular press, but not less troublesome.

This situation had been specially troublesome to Lord Milner who was greatly annoyed by the hostility to the English of "a scurrilous French newspaper, the *Bosphore Egyptien*." The Government, February 29, 1884, issued a decree suppressing it, but its editors not only paid no attention to it, but they became more violent and more mendacious. After enduring this open defiance for more than a year the Government seized its printing-press,—to face trouble with France. A press law, however, was ultimately approved by France giving the Egyptian Government some effective control over the excesses of foreign journalistic criticism.[49]

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[47] The Earl of Cromer, *Modern Egypt*, I, 211.

[48] W. F. Rae, "The Egyptian Newspaper Press," *Nineteenth Century*, August, 1892, 32: 213–223.

The annoyances, however, did not wholly cease and Lord Milner later characterized the French newspapers in Egypt as "among the most libellous prints published anywhere in the world." He believed that they thought only of turning out spicy articles, knowing that Europeans in Egypt would not take them too seriously. The harm came from their being reprinted and believed in France.[50]

The situation did not materially change, for a few years later the statement was made that it was "in the native press that the Khedives' true attitude is reflected. . . . It is notorious that the violent section of this press is subsidized, and at times directly inspired, by the Palace. . . . The hostility of the native press exists because it is agreeable to the Khedive, or because the Khedive allows it to be thought that it is agreeable to him."[51]

Others were also conscious of the difficulties of the English with the vernacular press of Egypt, and noted of one newspaper that "sailing in French waters, and therefore hostile to England, this paper has done exceptionally well. . . . The Sultan has not failed to recognize these 'good intentions' and in acknowledgment he has conferred the title of Pasha upon the editor and proprietor." The Moslem editors of two others were "possessed with a glowing hatred against 'English tyrants.' Their motto is 'Egypt for the Egyptians.' Both are unquestionably clever, and their vociferous appeals had a great influence over the already much excited Moslems of Egypt." One of them made a tour of the capitals of Europe where he "gained an almost unaccountable success," and the press, headed by Berlin, showed him marked attention, but probably excess of zeal in the cause of "Egypt for the Egyptians" ultimately resulted in little permanent harm.[52]

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[49] Viscount Milner, *England in Egypt*, 12th ed., pp. 97–99.

[50] Sir Clinton Dawkins, on Egypt in 1898 in Milner, *op. cit.*, Appendix II, pp. 401–402.

[51] *Ib.*, p. 343.

[52] M. Hartmann, *The Arabic Press of Egypt*, pp. 10–11.

The difficulties connected with the vernacular press of Egypt have apparently never been settled and a somewhat recent work on the press in Egypt states in its opening paragraph that "Egyptian journalists look to the civilized world in general and to their fellow journalists in particular for help in securing fair play," [53] praises Lord Cromer for not enforcing the old press law,[54] and protests that under his successor it was revived and promulgated as a new law in order to stop the outbursts of criticism against the Government. The result of the repression was "to lower the tone of the vernacular press and the manliness of Egyptian journalism. By means of this law *a newspaper can be suppressed without those responsible for it being given an opportunity for explaining their action.* The Government itself had seldom enforced this law except when it had itself been the object of criticism direct or indirect,"—a policy that inevitably led to servile flattery.[55] It also made it impossible for papers to report freely the news they received from the interior where abuses were prone to take place that would never be known to the British agents as long as the press was shackled.

And in Egypt, as elsewhere, the close of the war brought no relief to the vernacular press from the oversight that had been exercised over it. As late as August, 1920, the authoritative statement was made that "since last April a censorship of the severest kind has been imposed on Egypt, not only on the vernacular press but on every kind of literature, political, scientific, or religious." [56] Truly the vernacular press in Egypt and the

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[53] K. Mikhail, *The Freedom of the Press in Egypt. An Appeal to the Friends of Liberty* (1914).

[54] "I thought in the first place that the arguments which could be advanced in support of the policy of repression were not sufficiently strong to counterbalance those which are ordinarily employed in favour of a free press."—Report of Lord Cromer for 1903, cited by Mikhail, pp. 3–4.

[55] Mikhail found an illustration of this in the treatment of the press by the Ministry of the Interior in issuing invitations to the press to send representatives at the ceremonies attending the opening of the heightened Assouan Dam,—only those were asked whose politics were agreeable to the Ministry. Pp. 6–8.

The same author discusses the discriminations against the Coptic press in *Copts and Moslems under British Control* (1911), pp. 98–103.—Opinions of the British press substantiating his views are given, pp. 104–134.

[56] London *Nation*, August 14, 1920, 27: 606.

See also "The Native Press of Egypt during the War," *Moslem World*, April, 1920, 10: 184–191, from *The Egyptian Mail* (Cairo), October, 1919.—The article is an analysis of the political tendencies of eleven Arabic papers press published in the language of a rival has placed the British Government between the upper and the nether millstones.

South Africa in its turn has had its own troubles with a foreign language and a vernacular press. The press was mainly English,[57] and the Uitlanders had no effective voice in the Transvaal. "By the Press Laws of 1896 and 1898," says E. T. Cook, "the President was empowered to prohibit the circulation of any printed matter which in his opinion, was a danger to peace and order in the Republic." [58] The struggle in South Africa for a free and independent press had begun very early in its history. Thomas Pringle had started a free press in Cape Colony about 1820, but the Governor had personally opposed the establishment of a free press and the editor voluntarily gave up his paper. This began the prolonged difficulties between the press and authority.[59]

This difficulty concerned only in part the foreign language and the vernacular press,—it related also to the conflicting authorities of the home governments of England and Holland and the differences of opinion between each and its own press in South Africa. It quickly assumed the form of a controversy between the military authorities and the press and it led Sir William F. Butler to express in no unmeasured terms his disapproval of the press criticism of his administration.[60]

The difficulties of England with the vernacular press have not been less nearer home. E. Vincent, in a bitter article against the Welsh press, written more than thirty years ago, draws a comparison between the vernacular press of India which is under the eye of the governing class and therefore the tendencies of given papers are known, and that of Wales, where the Welsh language is little known in the upper classes outside of the clergy, and the vernacular press therefore has great power.[61]

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in Egypt, showing that while some were pronouncedly anti-British, the general policy was neutral, but indicated a belief in Great Britain.

[57] James Bryce found in 1898 that there were in South Africa sixty-one English papers, seventeen Dutch papers, and twenty-three published in both languages.—*Impressions of South Africa*, p. 402.

[58] E. T. Cook, *Rights and Wrongs of the Transvaal War*, p. 88.

[59] G. E. Cory, *The Rise of South Africa*, II, 282–295.

[60] W. F. Butler, *An Autobiography*, pp. 392–394.

[61] E. Vincent, "The Vernacular Press of Wales," *National Review*, November, 1888, 12: 318–325.

Equally difficult has been the question of the regulation of the press by Russia in the various parts of its empire. As far back as 1876 the Ukrainians were forbidden books (except novels) and periodicals printed in their own language, and from the time of Nicholas I it was doubtful how far the development of the language should be permitted,—a policy of suppression apparently adopted in the interests of the greater unification of the Empire.[62] M. Leroy-Beaulieu found that all writers who used the Ukrainian dialect were obliged to have their works printed in Galicia, and that with sixty thousand Polish residents in St. Petersburg, the "jailers of the mind" refused permission to issue a Polish newspaper there.[63]

General approval has often been given all forms of government regulation that have been made in the interests of public morality and as means of protecting the press as a whole from the cupidity of unscrupulous members of it. But the attempted regulation of the foreign language press and the vernacular press has involved governments in perplexities and difficulties that have often resulted only in indecision and vacillation. The one plea in favor of the policy of such regulation has been that it promoted national unity, yet national unity has often failed in countries where uniformity of language has prevailed. Ferdinand Lassalle inveighed against the German press, believing that it was dangerous to the national spirit because it was ignorant, lacking in conscientiousness and abounding in hatred of all that was true and great in politics, art, and science. The evils that he found did not have their root in language, but he believed were explained by the commercial character of the press, and the remedy, as he saw it, lay in separating the news from the advertisements,—the newspaper should publish only news, the government should publish general announcements, and advertisements should be confined to official papers.[64] On the other hand, the tri-lingual press of Switzerland has apparently not operated against unity.

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[62] H. M. Thompson, *Russian Politics*, pp. 24–25; "Finnicus," "Russian Officialdom and the Finnish Press," *National Review*, May, 1900, 35: 521–524.

[63] A. Leroy-Beaulieu, *The Empire of the Tsars and the Russians*, II, 454, 453.

[64] F. Lassalle, "Die Feste, die Presse und der Frankfurter Abgeordnetentag," an address delivered September, 1863, in Barmen, Solingen, and Düsseldorf. *Reden und Schriften*, II, 623–672.

It is at least a question whether in all cases the attempted governmental regulation of the foreign language press and the vernacular press has sprung from a desire to promote national unity, or has had its origin in a desire to control the press regardless of the language used. The question of motive is, however, immaterial since the result is the same,—protest, irritation, sullen acquiescence on the part of the press thus controlled, and the "unnerving of the national mind."

It is significant that the degree of protest against the vernacular press varies inversely with the degree of freedom of the press enjoyed.

CHAPTER IX

THE CLANDESTINE PRESS

"There is nothing hid that shall not be revealed."

THE accepted belief that the blood of the martyrs has been the seed of the church has found no better exemplification than in the case of the press. The long controversies between authority and the periodical press in regard to pre-authorization of publication, the suppression of whatever has been objectionable to authority, and the over-regulation of the press have had their natural result in the efforts of the weaker party in the controversy to circumvent the policy of the stronger party and to attain its ends by other means. Wherever and whenever the press has been fettered by victorious authority, where freedom of the press does not prevail, where the right claimed by government to regulate the press is not accepted, and where the existing government is opposed, the inevitable result has been the appearance of the clandestine press that has defied both regulation and suppression.

This has not been a new device. Even before the invention of the printing-press, secret communication between the adherents of heretical sects, like the Albigenses and the Waldenses, was carried on through the water-marks of paper, since papermaking had come to be largely in their hands.[1] With the appearance of the newspaper, wherever the government was repressive, the soil was fertile for the development of the clandestine press, though for its full success there is needed, as M. Hatin has said, "a party, an interest, passion, and faith."

These were all quickly supplied in France by the Jansenist controversies of the seventeenth century and *Les Nouvelles ecclésiastiques*, first circulated in manuscript, and later in printed form from 1728 to 1803, bore evidence of the success of the clandestine press in controversy with authority.[2] For many years the authorities tried in vain to discover the author of the journal and the means by which it was circulated, and Diderot says that "millions were squandered in an attempt to stop the clandestine organ *Les Nouvelles ecclésiastiques*."[3] The accounts of its production and of its distribution, cited from contemporaneous accounts, read like the amazing story of *La Libre Belgique* of our own time.

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[1] H. Bayley, *A New Light on the Renaissance*, *passim.*

[2] E. Hatin, *Histoire de la presse en France*, III, 433–446, *Les Gazettes de Hollande*, pp. 31–34, and *Bibliographie de la presse périodique française*, pp. 57–58.

Manuscript news-letters did not by any means always conform to M. Hatin's description of the conditions necessary for the development of the clandestine press, since they usually contained only gossip, but Théophraste Renaudot wished them suppressed because he thought they interfered with the sale of the *Gazette*. In 1737, however, there appeared a *nouvelles à la main* that introduced new features,—theater notices, book reviews, poems, satires, epigrams, *bon mots*, and anecdotes. It had its inspiration in the salon of Madame Doublet, the widow of an official of high rank, who wearied of solitude after the death of her husband and made her home with her brother, the Abbé Legendre.[4] "Les Paroissiens," as her friends were called, gathered regularly in the "salle de compagnie," where twenty-nine chairs were placed along the walls of the room and each person sat under his own portrait. A marble table was in the middle of the room, and a desk near the entrance held the two great books where was registered the news reported by each in turn. It seemed in effect a realization in France of Ben Jonson's "Staple of News" and anticipated the modern news-collecting agency. One book registered news regarded as certain and the other the more doubtful information, and so great was the reputation for authoritativeness acquired by this eighteenth century Associated Press that when others heard a piece of news the usual question was "Did this come from Madame Doublet?" In 1740 a circular announced that the news-sheets would be issued regularly twice a week, but the announcement only confirmed and guaranteed for the future what had been done already for three years.[5] News from the court and from the provinces, a foreign news service, and exchange of news with other news bureaus in Paris quickly put the work of Madame Doublet in the forefront.

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[3] M. Tourneux, *Diderot et Catherine II*, p. 296.

[4] P. Bayle and J. Herblay, "Journalisme clandestin au XVIIIe Siècle," *La Nouvelle Revue*, November 15, December 1, 1905, 37: 213–235, 395–413; F. Funck-Brentano, *Figaro et ses devanciers*, pp. 257–299; E. Hatin, *Histoire de la presse en France*, III, 460–483, *Bibliographie de la presse périodique française*, pp. lii–liii, 66–68.

But the new enterprise soon incurred the opposition of the authorities,—perhaps because of the inherent hostility between the two; perhaps, as H. Chisholm has intimated, it arose quite as much from lack of official employment as from substantial provocation; but justification was solemnly found by authority in the charge that Madame Doublet's *nouvelles à la main* were filled with false news, assumptions, and calumnies that circulated everywhere. The high social station of Madame Doublet at first protected her, but subsequently repeated warnings from the King, reprimands by the Parlements, prohibition of the publication of her bulletins, the arrest of one of her associates, the threat of closing the convent where she lived if the circulation of her *nouvelles à la main* was not stopped,—struggles with the authorities to which she had been long accustomed,—while they only served for a time to make her journal more active and resolute, in the end they brought discouragement and her journal declined. It had appeared regularly for more than forty years and its founder died at the age of ninety-four, "leaving a name for herself in the clandestine press," and the belief that "les nouvelles à la main sortant de chez Mme Doublet étaient assurément, et de beaucoup, les plus amusants journaux de l'époque." [6]

The clandestine press flourished in France itself through the persecutions of Church and State, while "party, interest, passion, and faith," led to the development on foreign soil of a clandestine

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[5] The circular is given by E. and J. de Goncourt, in "Bachaumont," *Portraits intimes*, pp. 37–72, and in Funck-Brentano, *op. cit.*, p. 268.

[6] P. Bayle and J. Herblay, "Journalisme clandestin au XVIIIe Siècle," *La Nouvelle Revue*, November 15, December 1, 1905, 37: 213–235, 395–413.

Much interesting and important information in regard to Madame Doublet and the clandestine press is given by A. van Bever in his edition of *Mémoires secrets de Bachaumont*, Préface, 7–21. The appendix of Vol. II gives additional information concerning Bachaumont and his correspondence, drawn from manuscript sources in Paris. The work, in two volumes, is based on the first six volumes of the *Mémoires secrets* and covers the years 1762–1771.

A complete edition of the *Mémoires*, thirty-six volumes in eighteen, was published in London in 1780. It contains a mass of information in regard to the work of Madame Doublet and her circle.

French press that lasted from the beginning of the periodical press until the opening of the French Revolution.[7] The representatives of this press were known collectively as "the gazettes of Holland,"—there never was *a* "gazette of Holland,"—and they were in the main published on Dutch soil because Holland has always been hospitable to the refugees from other nations. M. Hatin lists nearly one hundred of these political gazettes, reviews, and literary journals that formed an "exotic French press," and enjoyed in a foreign land a liberty denied them at home.[8]

This remarkable development of a press on foreign soil is explained by the extreme restrictions on the French press; by the exile, as a result of the Revocation of the Edict of Nantes, of political and religious malcontents,—"many an expelled Huguenot poured forth the bitterness of his heart in the columns of a Dutch gazette;" and by human cupidity,—the controllers of the French post office were directly interested in the receipt and sale of foreign papers from which they secured enormous profits and therefore they connived at the existence and circulation of contraband French periodical literature. Moreover, these gazettes were gossipy accounts of life at court and of everyday affairs that interested their readers. They were thus more entertaining than the official, circumspect, licensed *Gazette* and they had a wide circulation in France,—in 1779 nine different foreign journals were regularly received in Paris.[9] These included not only the "gazettes of Holland," but similar publications issued in Altona, Brussels, Clèves, Cologne, Deux-Ponts, Geneva, and in various other continental cities.

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[7] E. Hatin, *Les Gazettes de Hollande et la presse clandestine aux XVIIe et XVIIIe siècles,* gives the most complete account of the *gazettes étrangères* and of the clandestine press of this period.

An article based on the work of M. Hatin and summarizing it is that of R. Harrison, "The French Clandestine Press in Holland," *The Library,* 1893, 5: 309–322.

[8] M. Hatin sought in vain in Holland and Belgium for files of these papers, but he found only a few stray numbers. Since they were designed for Frenchmen living abroad and received their support from them rather than from Hollanders, no one seemed to take special interest in preserving them. They probably ought not to be considered French papers, although written in the French language,—the Paris edition of the *New York Herald* could hardly be classed as an American paper.

[9] E. Hatin, *Les Gazettes de Hollande*, pp. 48–49.

These gazettes were written in French since it was the language of international communication and of diplomacy, but it was a French that grated harshly on Voltaire and Racine, and the consciousness of its imperfections led one of the refugees to explain that "it was difficult for those who had sacrificed their country for their religion to speak their language with purity." [10]

But authority in Holland could more easily overlook defects in grammar than it could the abuse of the liberty granted them,—M. Hatin indeed intimates that they used this liberty without scruple in order to make their journals more piquant.[11]

Many complaints were made by foreign governments of this abuse of liberty of the press and they urged the authorities to repress the more or less abusive language used towards themselves,—Paris, London, Copenhagen, Moscow, St. Petersburg, Austria, Malta, Brussels, Spain, and in addition various minor principalities, all officially protested against the freedom of criticism indulged in by these "gazettes of Holland." [12] To M. Camusat, writing in Amsterdam in 1734, it had seemed all-important that their liberty should be restrained and he cites, in evident agreement, the opinion of a contemporary, the Marquis de La Fare, that the invasion of Holland by Louis XIV in 1672 was in part caused by the king's irritation over the libels printed in these journals.[13]

Yet these journals printed in foreign lands had not that complete freedom sometimes assumed. They were, it is true, written by French refugees, between whom and Louis XIV there existed an implacable hatred due to fundamental differences in politics and in religion,—a reciprocal hatred that also existed between Holland and Louis XIV; they were intended for circulation in France, and a thriving trade in their exportation was carried on all along the frontiers. But they were expressly forbidden to discuss the acts of the local authorities under whose license they were published and they were expected to discuss with extreme circumspection all domestic affairs. Great latitude was nominally allowed them in treating of foreign affairs, but this was in reality restricted by international necessities, since it was impossible for the authorities to disregard the frequent complaints of neighboring states. Their advantage and their opportunity lay in the extreme decentralized form of government in Holland; in the contradictory edicts passed in regard to them; and in the failure to enforce the decrees enacted. Of the political gazettes issued in Holland by French refugees, three-fourths were started during the reign of Louis XIV and it required a nice balancing of opposing political influences for the provincial magistrates to determine how much latitude could be allowed the gazettes and how much heed should be paid to the remonstrances of the Great King.

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[10] E. Hatin, *Les Gazettes de Hollande*, pp. 57–58.

[11] E. Hatin, *Histoire de la presse française*, III, 297.

[12] E. Hatin, *Les Gazettes de Hollande*, pp. 92–102.

[13] *Histoire critique des journaux*, pp. 123–125.

M. Hatin considers this merely a pretext that served as well as any other for justifying the invasion. He cites in full, pp. 66–67, the passage noted by M. Camusat from the Marquis de La Fare, *Mémoires et réflexions sur les principaux événements du règne de Louis XIV*. Rotterdam, 1716.

England, too, had its troubles with the clandestine press published in French and the *Courrier de l'Europe*, from 1776 to 1792 ran a checkered career in London and Boulogne,—with its second number it was proscribed in France, but the ban against it was later removed.[14]

All the difficulties concerning the clandestine press in Holland and in England disappeared when the conditions that gave rise to it were changed and the press itself was discontinued. But the service rendered to the historian by the clandestine press is very great. Its very existence is an unimpeachable record of the extreme regulation of the press by governmental authorities oversensitive to criticism of their policies. It was in the *Gazette de Leyde*,[15] in the opinion of M. Hatin, that the most reliable news of the American Revolution was found,—its editor was a friend and correspondent of Washington and of John Adams, and its news was received directly from authoritative sources, although Brissot claimed that distinction for the *Courrier de l'Europe*.[16]

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[14] E. Ellery, *Brissot de Warville*, pp. 13–15, 24, 27; E. Hatin, *Bibliographie de la presse périodique française*, p. 74, *Les Gazettes de Hollande*, pp. 38–42, and *Histoire de la presse en France*, III, 401–432.

[15] The gazettes were often familiarly known by the name of the place where they were published,—there was in reality no *Gazette de Leyde*, the real name of the newspaper thus called being *Nouvelles extraordinaires de divers endroits*.—E. Hatin. *Bibliographie de la presse périodique française*, pp. 85–86, *Gazettes de Hollande*, pp. 146–153.

[16] E. Hatin, *Histoire de la presse en France*, III, 428–430.

The *Gazette de France* was silent in regard to the events of the French Revolution, including the fall of the Bastille, and the work of the National Assembly,—apparently believing, so M. Hatin suggests, that the very mention of these affairs carried with it the sanction of them.[17] But the foreign journals that circulated clandestinely in France were not so sensitive to official scruples and they carried much interesting intelligence that escaped both voluntary and involuntary censorship. *Le Journal universel* that had appeared in The Hague in 1743 was for four years a stern critic of the more frivolous representatives of the clandestine press and its editor had declared, that in the conduct of the *Journal* he would show neither personal hatred nor national favoritism, he would be neither ultramontane nor jansenist, neither royalist nor jacobin,—accuracy, truth, impartiality and moderation were his goal and he apparently achieved it.[18] Surely the historian must find in some of these early clandestine journals congenial spirits in the desire shown to ascertain the truth.

Nor have clandestine journals been a refuge only for those oppressed by inherited conservatism. Radicalism in power becomes conservatism, in its turn it represses and regulates the press, and the circle is again completed by the appearance of a clandestine press. The royalists in France, when in the minority, used the same device that they had proscribed when they had been at the helm. The regulation of the press by Napoleon had its inevitable result in the appearance of various sheets secretly circulated by his opponents. He professed an indifference to them,—even a contempt for them, but he did protest too much, and the minute detail with which he described their contents to the Council of State was indicative of the relentlessness with which the press was to be pursued,—"les blessures qu'il supportait le moins patiemment, c'était celles des journaux."[19] The clandestine press changes its personnel, but the conditions that give rise to it are always the same.

Political conspiracy has always found an effective instrument at hand in the clandestine press and under Austrian rule both conspiracy and a clandestine press flourished in Italy, and even in Rome itself a clandestine radical press sprang up.[20]

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[17] E. Hatin, *Bibliographie de la presse périodique française*, p. 8.

[18] E. Hatin, *Les Gazettes de Hollande*, pp. 203–204.

[19] A. Périvier, *Napoléon Journaliste*, pp. 114–117; H. Welschinger, *La censure sous le premier Empire*, p. 87.

Russia with its over-regulation of the press in its turn developed both a smuggled and a clandestine press. A Russian printing-office was established in London where the *Bell* was published in the Russian language and smuggled into Russia. Alexander II is said to have been an assiduous reader of the *Bell* and to have learned from it much that could not have been discovered from the official reports made to him by his ministers. Even as in Belgium, efforts to circumvent the clandestine press were unavailing. M. Leroy-Beaulieu notes that when one number of the *Bell* attacked certain persons of high standing at court they saw to it that this particular number was revised and corrected before it reached the Emperor's hands and a special copy of it printed for his personal use. But the editor learned of the subterfuge and in his turn saw to it that the Emperor found on his desk a copy of the original number. So successful and so fearless was the clandestine press in Russia that M. Leroy-Beaulieu remarked "some day perhaps clandestine presses will be seized in the offices of the Censure Department," [21]—thus anticipating subsequent events in Belgium. Stepniak felt that, in comparison with the regular press, the clandestine press, both abroad and at home, struggling against almost overwhelming odds, had done far more, notwithstanding lack of means and difficulty of distribution, for the political enlightenment of Russian society, than had the conventional newspapers.[22]

America, like every other nation, has found to its ultimate sorrow, if not wisdom, that undue repression inevitably means the clandestine press, yet the warnings and experiences have not been heeded. Even in 1917, the business manager of *Mother Earth* wrote the third assistant Postmaster-General concerning the Trading with the Enemy Act, "I suppose you are aware, through the newspapers or from the Secret Service Department, that dozens of underground presses have already been established."[23]

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[20] W. R. Thayer, *Dawn of Italian Independence*, II, 45–46.—Other illustrations are given *passim*.

[21] A. Leroy-Beaulieu, *The Empire of the Tsars and the Russians*, II, 472–476.

[22] Stepniak, *Russia under the Tzars*, II, 228–229.

A variant of the clandestine press circulated at home because of repressive measures, and of the species known collectively as the "gazettes of Holland," has been the newspaper press published in its native habitat, but circulated abroad or smuggled across the borders of a friendly state. This in its turn becomes for the historian an important record of the antagonism shown by unenlightened authority towards the members of the press that cross its path. It has here again been in France, where repression and liberty have alternately governed the press, that conspicuous illustrations of the smuggled press have been found. Henri Rochefort was in 1863 a member of the staff of *Figaro*, but a series of articles brought him into collision with the authorities and he left *Figaro*, later founding a paper of his own called *La Lanterne*.[24] Here he quickly repeated his previous experience, two numbers were seized by the authorities and fines and imprisonment imposed to such an extent that the editor fled to Belgium where he continued to print *La Lanterne* on flimsy and sent it into France packed in hollow busts of the Imperial family. The fine irony of this means of transportation in no way lessened the hostility of Napoleon III towards the enemy of his empire, and although *La Lanterne* was printed in half a dozen different languages and was circulated throughout Europe, authority ultimately prevailed and *La Lanterne* was extinguished.[25]

Authority never learns the futility of attempting to stifle the press, and the German Empire had its experience with the results of over-regulation. Its *index expurgatorius* in 1890 contained the names of thirteen German periodicals, eighty-three German newspapers, and sixty foreign journals and periodicals,—all socialist in their tendencies. The result of this suppression was that "socialistic journals, concealed in bales and boxes, were smuggled across the Swiss and French borders on State railways to the number of many thousands weekly." [26]

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[23] New York *Tribune*, September 27, 1917.

[24] M. Rochefort says that Villemessant and Dumont, his former associates on *Figaro*, each gave him ten thousand francs for starting his new enterprise,—an interesting comment on their own attitude towards authority.

M. Villemessant, in his version of the matter, says that he and M. Dumont had "un petit intérêt dans cette affaire," and that he suggested the name to Rochefort. He later wrote Rochefort that he had not received a single sou from the *Lanterne* and begged to know when he was to be reimbursed.—*Mémoires d'un journaliste*, IV, 317–319.

M. Rochefort, in *Les Aventures de ma vie*, I, 319–374, II, 3–43 *passim*, 69–95 *passim*, gives a voluble, somewhat lurid account of the adventures of *La Lanterne*, including an account of its burning "agrémentées de mon portrait." II, 7.

[25] George Lumely, "La Lanterne," *Contemporary Review*, January, 1869, 10: 10–36; J. A. O'Shea, *Leaves from the Life of a Special Correspondent*, I, 192–193; R. M. Johnston, *ed.*, *Memoirs of "Malakoff" Extracts from the Correspondence of W. E. Johnston*, II, 511–531.

All the conditions favorable for a clandestine press were found in Belgium during the German occupation and *La Libre Belgique* promptly appeared February 1, 1915, and was thereafter "regularly irregular." No more significant illustration can be found of the futility of the attempt to regulate the press by the extreme means of suppression than was given by the appearance of this remarkable paper.[27]

La Libre Belgique was the most famous of the clandestine publications growing out of the war, but at least seven original printed clandestine journals[28] had a precarious existence during the German occupation of Belgium. Another method of communication among the Belgians was through the circulation of typewritten or photographed selections of specially important passages in French and English newspapers. These news-sheets were also secretly distributed for the purpose of giving reliable news and counteracting the demoralizing effects of the German placards.[29] *La Libre Belgique* attained the distinction of an aerial supplement that was printed abroad and dropped by aeroplanes into Belgian towns, while the most significant testimony to the effectiveness of the clandestine press as a whole was found in the counterfeit imitations of it circulated by the Germans.[30]

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[26] W. H. Dawson, *Germany and the Germans*, II, 197.

[27] More first-hand information is available for the study of *La Libre Belgique* than can probably be found in this country in regard to any other paper of its class. Complete files of it, as also individual copies, can be found; its history has been given and many pages reprinted, as also the history of similar less well-known journals, by Jean Massart, *The Secret Press in Belgium*, translated by B. Miall, who adds valuable comments; A. van de Kerckhove, a Belgian lawyer who wrote for it under the nom-de-plume, "Fidelis," has a preliminary article, "La Libre Belgique" in the *Revue des Deux Mondes*, May 15, 1919, 6 Période, 51: 385–395; it was followed by the volume *L'Histoire Merveilleuse de La Libre Belgique*,—the last pages contain the names of more than eight hundred persons known to have had some part in the production or circulation of the journal, but even so the list is necessarily incomplete; Lieutenant Marcel, a French volunteer, has recounted his part in *Mes Aventures et le Mystère de La Libre Belgique;* Brand Whitlock, *Belgium*, I, pp. 641–645, gives an important account, and he also has written a preface for the volume of M. van de Kerckhove; additional interesting facts are given in E. D. Adams, *The Hoover War Collection at Stanford University, California*, 1921.

An excellent general account is given by C. Gauss, "Some War Curiosities and the Clandestine Press in Belgium," *History Teacher's Magazine*, February, 1918, 9: 101–112.

[28] *La Libre Belgique, La Vérité, La Belge, Patrie!, De Vlaamsche Leeuw, De Vrije Stem*, and *Motus.*—Facsimiles of first pages and descriptions of these journals are given by *Les Publications clandestines en Belgique occupée. Un brelan de curieux fac-similes.* n. p., n. d.

The student of history must always find in the clandestine press an invaluable record of the repression of the press by authority; an insight into conditions that authority has wished to have concealed; and a revelation of the courage, the alertness, the ingenuity, and the versatility that have made the clandestine press possible.[31] But the regret is inevitable that these restrictions on the press have made it necessary to turn into comparatively unproductive channels energy and ability that otherwise could have found scope in more genuine creative work. M. Peltier in his *Actes des Apôtres* encountered the hostility of the French Republic and later that of Napoleon. Carrying on a clandestine press under two extreme forms of government, he suffered from both and epitomized the question in writing from London: "La liberté de la presse est le droit qu'a tout citoyen de manifester ses opinions par la voie de l'impression; *cette liberté doit être illimitée; elle ne peut être assujettie à aucune restriction.*" [32] The clandestine press becomes extinct when this ideal of freedom of the press is realized.

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[29] Jean Massart names *La Revue hebdomadaire de la presse française*, *L'Echo de ce que les journaux censurés n'osent ou ne peuvent pas dire*, and *La Soupe*, and states that about fifteen such news-sheets were in circulation.—*The Secret Press in Belgium*, pp. 6–11.

[30] J. Massart, *op. cit.*, pp. 36–39.

[31] The same effects are seen where any form of censorship is exercised over the educational press. An interesting illustration was noted some years ago in France where what is known in America as college journalism was forbidden in the lycées. I saw three numbers of a *Revue Monastique*, an eight-page lycée journal written out by hand by the students and then mimeographed, because no printer could be found to print it since minors were by law forbidden to print anything. The paper was subject to confiscation by the school officials, and hence all numbers were sold secretly.

[32] J. Peltier, *Les Actes des Apôtres*, January 28, 1790.

CHAPTER X

FREEDOM OF THE PRESS

Jocasta “What meaneth exile? It is a sore ill?
Polyneices The sorest. In deed sorer than in word.
J.— In what wise? Where for exiles lies its sting?
P.— This most of all—a curb is on the tongue.
J.— That is the slave’s lot, not to speak one’s thought!
P.— The unwisdom of his rulers must one bear.”

“Of Athens’ daughters may my mother be,
That by my mother may free speech be mine.
The alien who entereth a burg
Of pure blood, burgher though he be in name,
Hath not free speech; he bears a bondman’s tongue.”

“. . . . . free, with tongues
Unfettered, flourish they, their home yon burg
Of glorious Athens.”

Euripides.

“Let it be impressed upon your minds, let it be instilled into your children, that the Liberty of the Press is the Palladium of all civil, political and religious Rights of Freemen.”—*Letters of Junius.*

“Congress shall make no law abridging the freedom of speech or of the press.”—*Constitution of the United States.*

“I wholly disapprove of what you say and will defend to the death your right to say it.”—*Voltaire.*

“I should feel myself called upon to protect an infidel or Mohammetan paper, if assailed; or to re-establish it, if destroyed; as much as a paper designed to advocate the truths of Christianity.”—*Edward Beecher.*

“By liberty I mean the assurance that every man shall be protected in doing what he believes his duty against the influence of authority and majority, custom and opinion.”—*Lord Acton.*

“Even when it [freedom of the press] is converted to abuse, it is not for the advantage of an innocent man to seek to restrain it; he will find his advantage in continuing through life to despise its excesses.”—*James Mill.*

“Liberty of the press seems to come under the mathematical definition of a point; it has neither length, breadth, nor thickness. It is a name representing an impossibility,—a publication useful to the world and offensive to nobody.”—*D. M. Ford.*

In Brussels a lofty column was erected about 1850 to commemorate the establishment of an independent kingdom in Belgium and at its base are four figures symbolizing freedom of the press, freedom of education, freedom of associations, and freedom of public worship. Not alone in Belgium but elsewhere has freedom of the press been held to be one of the chief cornerstones of a free government. The literature of every country presumably contains its classic utterances in support of it and in England in particular the essayists of the eighteenth and the nineteenth centuries were prolific in their advocacy of a free press. Milton in the seventeenth century in his defence of an unlicensed press was followed later by Hume, by Mill, by Bentham, and by an almost innumerable number of lesser lights all urging the advantages of a free press.

With the general encomiums on the freedom of the press all must agree,—freedom of the press is indispensable in a free country, and the historian presumably has only to classify the press of all countries as "free" or "not free" in order to decide its authoritativeness with reference to this question. Yet what is freedom of the press? Much as it has been extolled, the effort to determine what it is is comparable only with the reply of the Duke of Newcastle when called on to assist Annapolis in King George's War,—"Annapolis, Annapolis!" the noble lord had exclaimed, "oh! yes, Annapolis must be defended; to be sure, Annapolis should be defended—where is Annapolis?"[1] To the historian no question connected with the press is of more vital importance than is this, and yet at the very outset he is baffled by the absolute impossibility of defining it, or of describing it, or of characterizing it in positive terms. To those who believe in absolute freedom of the press it means the right to publish everything at any time in every place about everybody and everything. But few persons go to this extreme since, if carried out in actual practice, it would result in a situation of unparalleled confusion. To others "freedom of speech and of the press means freedom to speak and write the truth, not falsehood or abuse."[2] But this in turn is only a partial answer to the question,—sufficient only to cover the case of a man justly indignant over personal wrongs suffered at the hands of the press. To still others freedom of the press is the residuum left after all the restraints of censorship have been removed. But the final inadequacy of the definition of liberty as the absence of restraint has been pointed out by H. J. Laski,[3] although it seems probable that this has been put forward less as an exact definition than as a description of freedom of the press. As such, it may seem to be a general statement comparing freedom of the press with censorship and regulation on the one side and with propaganda on the other. Censorship of the press is definite, exact, and by its very nature it is subject to exact definition and legal interpretation, but freedom of the press is elusive and inexact, and while it can be consciously felt, it can never be satisfactorily defined.

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[1] H. Walpole, *Memoirs of the Reign of King George the Second*, I, 396.

[2] W. J. Gaynor, "Libel in England and America," *Century Magazine*, October, 1911, 60: 824–831.

The historian is thus compelled at the outset to realize the impossibility of defining freedom of the press. Even more than this, he quickly appreciates that absolute freedom of the press never has existed and never can exist, and that in this it is at one with every other form of personal freedom. Conduct and expression of opinion are everywhere limited by convention and by good taste. These standards are never static, but whatever the standards of the day, the public conforms to them. Freedom of action is restrained by the right of others to be secure in their freedom and it is limited by the prevailing moral and aesthetic standards. The fashionably dressed woman who goes stockingless into a New York City hotel violates a convention of the time and place, though she may be welcomed in a ball room of the same hotel in a gown with scant apology for a waist. In one country it is held to be immodest for a woman to appear in public with face unveiled. Contemporaneously in another country, décolleté dress may be considered immodest, while prescribed elsewhere as a *sine qua non* for presentation at court. At one time the covered ankles and short skirt are taboo; at another, protected ankles are exposed, but ears are covered.

Freedom of speech is also everywhere restrained by social conventions,—religion, politics, personal differences are all barred

[3] H. J. Laski, *Authority in the Modern State*, p. 54.

from general conversation. At one time certain hospital operations are much talked of and certain others are carefully concealed; at another time all the surgical operations that accompany warfare are freely discussed, at another all operations of every kind are banished from common conversation.

Freedom of action and freedom of speech are everywhere limited, not only by the canons of convention and of good taste governing society at a given time, but they are limited by kindly feelings towards neighbors, associates, and friends. The personal liberty that encroaches on the personal liberty of another or shocks the prevailing standards of taste is everywhere condemned.

There are probably few to-day who cling to the abstract theory of freedom of the press and who do not recognize that its limitations are as inevitable as are those that limit all human actions. There are few who do not see that it is as unattainable as is absolute truth; as inherently impossible as squaring the circle, the transmutation of metals, or perpetual motion, as difficult to locate as is the central point of the universe.

Yet it is all important that the historian should in his use of the periodical press deal with a free press. From his standpoint it is not sufficient that the press be free from censorship and the accompaniment of a system of license; he must find in the press a perfectly free medium for the publication of news, for the interpretation of news, and for the expression and circulation of opinion. For two hundred years the press has combined the early function of the newspaper,—the comparatively simple one of giving the news,—with the function of a political pamphlet that once existed for the interpretation of the news. Thus the press and the public alike demand freedom for the expression of opinion in editorial columns, in all literary, dramatic, musical, and artistic criticism, in all special and occasional correspondence, —freedom for every part of every paper wherever published. Unless this desire for freedom of the press is realized the historian who uses the press must deal with devitalized material and his own work correspondingly suffers.

But again, why is freedom of the press impossible to realize, what are the influences that have restricted the freedom of the press and thereby qualified its usefulness to the historian?

The most obvious restriction is that exerted by government in all varying degrees of control, from license and pre-censorship to complete domination of the press. Censorship of the press implies a pre-examination of what is to be printed or circulated; it is negative and passive. Regulation of the press means active interference with the press exerted by a government that fears the press while coming to realize its power. The press bureau represents the dictation by government or other external authority of what is to be published and circulated. Freedom of the press may seem to represent the watershed between the prohibitions of government on the one hand and the complete control by government on the other hand, and to stand for the measure of freedom remaining to the press after restrictions have been removed and before active command of the press has been assumed. It thus follows that freedom of the press is not compatible with autocratic government. This has everywhere denied the demand of the press to be untrammeled. As soon as government has become in any measure representative, it has thereby become less sensitive to adverse criticism and it has sloughed off one by one the exactions demanded of the press in the form of caution money, and registrations; it has relinquished warnings, and notifications, stamp duties, and taxes on paper,—wherever "taxes on knowledge" have been abandoned the press has become more free than has been possible under a burdensome system of special duties.

Freedom of the press has always been limited not only by abstract authority but also by the special authority in power at the time being and the limitation has been directed towards the special opponent of that authority. When the Church was the paramount authority, freedom of the press was limited by the fear of the Church that heresy would spread. When the positions of Church and State were reversed and the State was recognized as the controlling authority in secular affairs, fear of sedition was the skeleton in the closet that precluded the State from the full enjoyment of its position. So great was the dread of opposition to its policies that "to report what the Government pronounced to be seditious speeches was as bad as to utter them." [4] A definite

[4] W. J. Couper, *The Edinburgh Periodical Press*, I, 111.

formulation of the creed of the State came to be made through jurists and "to Blackstone, Lord Mansfield, and Lord Kenyon," says Schofield, "licentiousness of the press meant opinions issued censuring the existing order. Under our declarations of liberty of the press, licentiousness of the press can only mean the fabrication and spreading of falsehood in matters of fact."[5] During the Civil War in America while sedition was suppressed in high places, criticism was more freely tolerated on the part of the rank and file who were presumably without opportunity of making their criticisms effective. Soldiers' newspapers appeared then, as they have done during the recent war, although most of them were shortlived and they were printed on presses found in captured Southern towns. "These newspapers," says Schlesinger, "frequently assumed an attitude of criticism and reproof toward superior officers that would not have been tolerated in the late war."[6] To-day the fear that limits freedom of the press is not that of heresy but of industrial change, and authority in the person of the state limits the freedom of the so-called radical press that advocates a change in industrial relationships. In so far as the state in any way is compelled to recognize the existence of such a desire, it gives such recognition to the conservative wing of organized labor.[7]

But however much the historian may profit by the absence of these definite legal restrictions on the press, he is still hampered by the interpretations of administrative authority. Nowhere was this limitation on freedom more in evidence than in America in 1914–1921. The press was not free to criticise adversely the policy of the government, or that of any of its allies, or to question the infallibility of its decisions, or to offer constructive suggestions, since it thereby incurred the displeasure of the Postmaster-General who excluded from the mails all such publications.[8]

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[5] H. Schofield, "Freedom of the Press in the United States," *Papers and Proceedings of the American Sociological Society*, 1914, 9: 67–116.—This is an exhaustive study of the legal aspects of freedom of the press.

[6] A. M. Schlesinger, "The Khaki Journalists," *Mississippi Valley Historical Review*, December, 1919, 6: 350–359.

[7] Cabinet speculations, December 15–19, 1920.

[8] Z. Chafee, Jr., gives many illustrations of these administrative restraints put on freedom of the press. *Freedom of Speech*, pp. 106–110, 394.—See also *The Nation*, October 4, 1917, 105: 361–362, September 28, 1918, 107: 336–337.

The historian therefore measures the value that the press has for him by the absence of these restrictions. He watches with keenest interest the slipping off of the fetters that have bound the press, for he thereby gauges the serviceability of the press for historical purposes. He finds it impossible to make any sweeping generalizations in regard to the value of the press in his work, so greatly has the measure of the freedom of the press varied in different countries and in the same country at different times. He must know the exact status of the press in a given country at a given time with reference to the presence or absence of governmental restrictions before he can even give it consideration.

He must also understand how far legal provisions guaranteeing freedom of the press are enforced. A study of the laws concerning the press yields but a partial record of the legal status of the press, since back of them lies the question as to the degree of their enforcement. The question also comes as to how far they are nullified by other legislation. The fundamental law of Austria asserted that every one had the right to express his opinions in print and in illustration, and that there should be no censorship of the press. But this provision was rendered inoperative since the statutes provided that a license was necessary to carry on the printing business; that every number of a periodical must be submitted to the police before publication in order that it might be confiscated if it contained anything contrary to law. The laws restricting freedom of the press antedated the constitution and were in force in spite of it.[9]

It is also true that the definition of freedom of the press has never been stable,—one generation may believe that it has freedom of the press and a subsequent generation believes that it did not have it.

It is moreover an error to assume that withdrawal of censorship ensures freedom of the press, since the press is limited by many conditions irrespective of the censorship of authority. At one time, the special grievance of the press in Turkey was the presence of a censor in the office of every newspaper, but "the Constitution

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[9] Constitution of Austria, 1848, sec. 13.

A. L. Lowell, *Governments and Political Parties in Continental Europe*, II, 81–82.

[of Midhat] was assumed to imply liberty of the press; and, on the day of its publication, the editors combined to bundle the censors out of their offices," and thus it was believed that "the Press for the first time during thirty years in Turkey became absolutely free."[10] But the influence of Germany counteracted the nominal freedom of the press and became even more subversive of true freedom than had been legal restrictions and prohibitions.[11]

The precise degree of freedom of the press that exists in any country is by no means indicated by its laws bearing on the subject,—France had nominal freedom of the press under Napoleon III, and yet there were no fewer than six thousand prosecutions of publishers during his reign;[12] in England it is still the parliamentary theory that all reporting of the debates in the House of Commons is a breach of privilege, and a standing order still forbids any newspaper to publish a report of anything said or done within the halls of parliament, yet the reports of parliamentary discussion and action are freely circulated over the entire world.

A similar contrast is found in the attitude of the fundamental law of the two countries. In France, the Declaration of the Rights of Man adopted in 1791 declared one of these to be "the right of communicating thoughts and opinions, either through the press, or in any other manner"; the Constitution of 1793 states that "it guarantees to all Frenchmen absolute liberty of the press"; the Charter of Louis XVIII states that "Frenchmen have the right of publishing and causing to be printed their opinions provided they conform themselves to the law"; the Constitution of 1848 proclaims that "the press can not in any case be subjected to censorship," but does not guarantee absolute freedom of the press. On the other hand in England, it is significant of the prevailing indifference to the subject that no allusion to freedom of the press is made either in the Bill of Rights or in the Act of Settlement, nor did the Charter of 1848 include among its demands one for freedom of the press. Freedom of the press was secured in England, not through executive grant, but by Parliamentary legislation, since Parliament under Anne had usurped the control of the press. Thus the long struggle in England to gain such freedom was carried on, not with the executive, but with the legislative department.

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[10] E. Pears, *Life of Abdul Hamid*, pp. 192, 292, 298–299.

[11] H. Stuermer, *Two War Years in Constantinople;* L. Einstein, *Inside Constantinople.*

[12] Legislative report to the National Assembly, cited by S. N. D. North, "Press," *Cyclopaedia of Political Science*, ed. by J. J. Lalor, III, 311–326.

The freedom of the press is everywhere restricted in particular directions that vary with the sensitiveness of public opinion at different times on different questions. It is voluntarily limited by the position of public opinion on every great question, as far as it can be divined, whether of war or peace, socialism, militarism, prohibition, or suffrage. In every country the dominant question of the moment limits the freedom of the press,—it may be taxes on knowledge, or extension of suffrage, or disestablishment in England; it may be socialism, or a place in the sun, or annexations in Germany; it may be political and industrial democracy in Russia; it may be the temporal power of the Church in Italy. However great or small may be the control of the press by government, the press secures this freedom only to find the pressure of opinion exerted on it.

In all countries the freedom of the press is limited by the ignorance of the educated. Although the proportion of educated persons may be very large, the proportion is apparently very small of those able to explain intelligently the essential differences between bolshevism, anarchism, nihilism, communism, syndicalism, and socialism, and as an aftermath of the war, everything objectionable or disagreeable to any one is termed "bolshevik." It is apparently impossible to-day for the press to attempt in its columns to discriminate among these different forms of opposition to the existing order, or to express a sympathetic interest in any inquiry leading to a better understanding of the differences among them, since an effort to comprehend their purpose is interpreted as an approval of it. Members of state legislatures are classed among the educated, yet entire ignorance of the principle that legal rights cover minorities as well as majorities, together with ignorance of the history of similar attempts and the disastrous results to those making them lead to illegal searches, expulsions, deportations, fines, imprisonments, and concerted efforts to suppress all and every expression of opinion on the part of a minority. The press inevitably takes on a protective coloring and thereby limits its own freedom through acquiescence by silence in the policies of a controlling majority indifferent alike to the lessons of law and of history. But the ultimate responsibility must lie with the ignorant.

It is at least an open question whether the opinion of the majority does not always limit the freedom of the press. During the prolonged anti-slavery agitation, the press was muzzled by fear of offending slave owners, and the few papers like *The Liberator* that defied the majority paid the immediate price of suppression and reaped the ultimate reward of the success of their cause.[13] Thomas Ritchie had earlier had the same opportunity and had rejected it. He had at first promised to give the texts of the proclamations of the French Revolutionists in San Domingo with full accounts of the massacres, but the slaveholders in Virginia feared for their own safety and dictated silence,—Virginia "had already decided upon a policy of studied silence upon the subject of negroes and negro slavery. Accordingly his promises were never kept, and he expressed the wish that no one 'would demand the reason,' "—there was no need.[14]

The press often limits its own freedom, perhaps unconsciously by following the lead of political organizations, especially during times of active political campaigns. Nominees for the highest political office may have been so inconspicuous, prior to nomination, that their services to their country may have escaped even the eye of the trained reporter eager to uncover news, but after nominations have been made, the press of each party finds its own nominees paragons of wisdom and virtue while those of its opponents are mediocre, provincial, and commonplace. The press also limits its own freedom when it "keeps its ear to the ground" and avoids taking any but the popular side. "The supreme test of civil liberty," an English lord has said, "is our determination to protect an unpopular minority in time of national excitement,"[15] and all members of the press have not always zealously protected the rights of the minority in its own profession. The press has often been prone to advocate freedom of the press for its own kind, but not always for other varieties,—the conservative press believes in liberty of the press—for the conservative press; the radical press may hold corresponding views of freedom of the press.

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[13] A. B. Hart, *Slavery and Abolition*, pp. 159, 180, 207, gives lists of anti-slavery papers; G. A. Lawrence, *A Pioneer of Freedom*, gives a full account of Benjamin Lundy's efforts to secure freedom of the press; J. F. Hume, *The Abolitionists*, gives many special instances of interference with the press; Wendell Phillips, *Eulogy of William Lloyd Garrison*, and G. W. Curtis' *Wendell Phillips* show the conditions under which the anti-slavery press was issued; J. C. and O. Lovejoy, *Memoir of the Rev. Elijah P. Lovejoy*, give an account of the penalty paid for defying public opinion; W. P. Garrison and F. J. Garrison, in *William Lloyd Garrison* (4 vols.) have written the best and fullest account of the restraints on freedom of the press made by a tyrannous majority; T. C. Smith, *The Liberty and Free Soil Parties of the Northwest*, gives a chapter to the anti-slavery press; the agitation against "incendiary literature" is best appreciated and understood from the debate in the senate on Calhoun's bill for suppressing it,—*Congressional Globe*, June 8, 1836, III, 437–442.

[14] C. H. Ambler, *Thomas Ritchie*, p. 25.

On the other hand, it must be remembered that the most severe strictures on the lack of freedom of the press come from the press itself. It has been recently said that "newspaper owners will sing to you long on the high theme of 'the splendid freedom of the press,'"[16] but in fact the burden of their theme is more often precisely the reverse. It is from the press itself that the plea for greater freedom comes. This very sensitiveness to restraint is in itself a guarantee that the press is keenly alive to unnecessary restraint, and due allowance for this must be made in all adverse judgments passed on the press; it is educational bodies that protest against the restrictions placed on education by legislatures that prescribe the teaching of patriotism through the study of history, by religious bodies that prescribe theological tenets to be accepted by the holders of professorial chairs, and by benevolent donors who restrict their gifts to objects that do not make for education in the true sense. These very protests in education are a guarantee that freedom of thought does exist in the field of education, and just as long as the press itself protests vigorously against restrictions on the press just so long will there be as-

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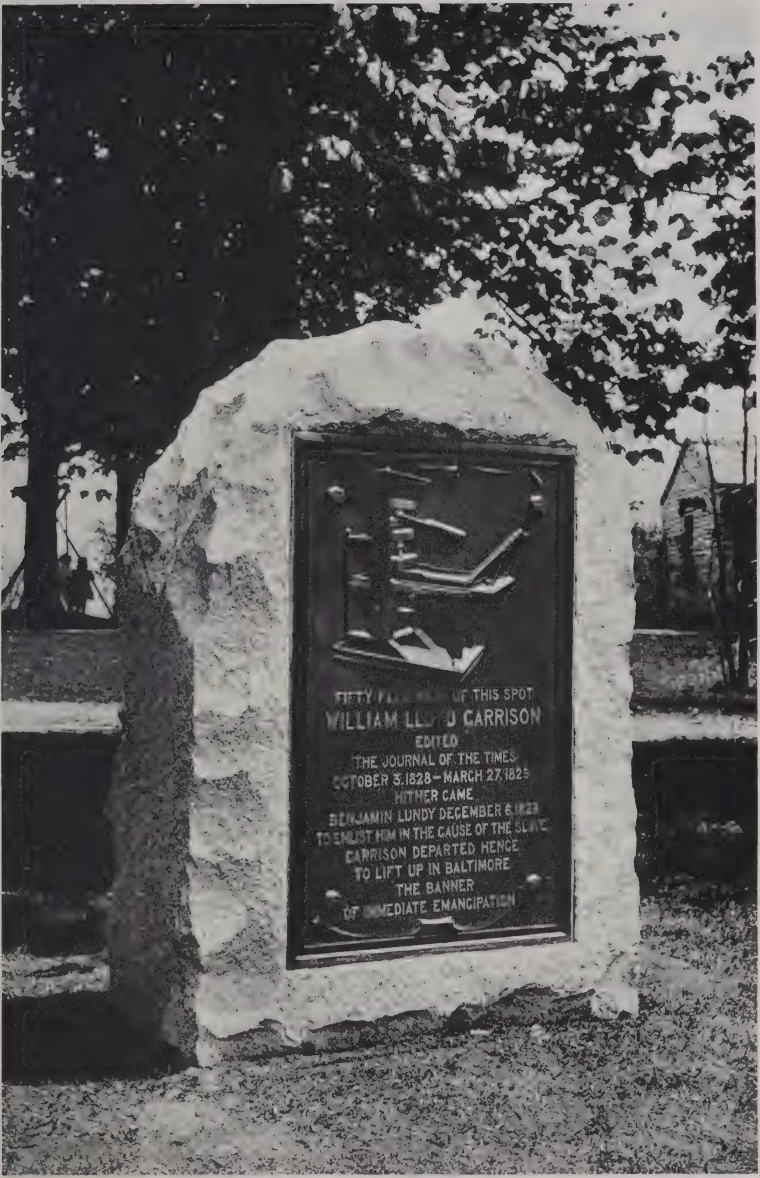
[15] Cited in "A Message from a Representative meeting of Philadelphia Yearly Meeting of the Religious Society of Friends, 304 Arch Street, Philadelphia, Pa."—The name of the English lord is not given. The message is printed in full in *The Friend*, January 29, 1920.

[16] G. E. Shipler, "Freedom of Press against Freedom of Pulpit," *Outlook*, December 2, 1914, 108: 774–782.


FIFTY [illegible] OF THIS SPOT
WILLIAM LLOYD GARRISON
EDITED
THE JOURNAL OF THE TIMES
OCTOBER 3, 1828 – MARCH 27, 1829
HITHER CAME
BENJAMIN LUNDY DECEMBER 6 1828
TO ENLIST HIM IN THE CAUSE OF THE SLAVE
GARRISON DEPARTED HENCE
TO LIFT UP IN BALTIMORE
THE BANNER
OF IMMEDIATE EMANCIPATION

Tablet in Memory of William Lloyd Garrison and the *Journal of the Times*, Bennington, Vermont

surance that at least partial freedom of the press really exists. The moment the press relaxes its exertions for freedom of the press, or maintains that it has it in full measure, there is cause for alarm lest the press has become an instrument in the hands of authority to do its bidding.

The freedom of the press is everywhere limited by general business interests, by the fear of antagonizing special interests as those of the brewers, or of labor, or of capital, by the interests of the owners of strings of newspapers, by advertisers, by political leaders, by legislation quite apart from that intended to exert direct control of the press. It is everywhere restrained by the taste of the public that objects to the publication of much that a century ago would have been demanded. It is restricted by a growing respect for truth,—deliberate hoaxes are, at least for the time being, out of fashion and deliberate falsehoods are suicidal.

The freedom of the press is often limited by its own frank commercialism. "The business man," says Scott-James, "was quicker than the philanthropist in seizing a chance to sell literature to the crowd," [17] and the standard of the press was thereby lowered, while its circulation increased, with the result that its expenses increased, and this in turn brought the danger of undue limitation of freedom of the press through the influence of the advertiser.

The freedom of the press is limited because "there is such a thing as freedom of the public and its right not to be exposed to misleading statements of fact or insidious comment." [18] Even "the freedom of journalistic competition is limited by the immense difficulty of establishing any new journal of sufficient dimensions to make it a public force." [19]

Freedom of the press is everywhere limited by the interpretation put on the reports of even trivial occurrences. The principle is illustrated by a hypothetical story given by Edward Lytton Bulwer of a boy reported to have been knocked down by the Duke of Wellington's horse. The Whig papers would at once magnify the tale and blame the Duke. But if the following day it was reported that the accident was caused by Lord Palmerston's horse, the Tory papers would take up the story and blame the Whigs. The fact would be stated correctly in all papers, but the interpretations given would be diametrically opposite.[20] Public meetings held in support of unpopular causes, as that of conscientious objectors, pacifists, or naturalized citizens, may be attended by practically every person in the community who supports these causes, and yet in proportion to the total population the attendance may be relatively small. The press supporting or opposing these causes will inevitably give different interpretations in regard to the size of the audience, gauged by the supposed unpopularity of the question in the community or by personal sympathy with it.

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[17] R. A. Scott-James, *The Influence of the Press*, p. 223.
[18] H. W. Steed, *The Hapsburg Monarchy*, p. 185.
[19] *Ib.*, p. 186.

Innate sympathy with affliction limits the press from dwelling upon, or even alluding to, the withered arm, the amputated leg, the disfigured face, the deformed body of conspicuous citizens honored by the public, and this instinctive sympathy extends as well to aliens and to enemies held in dishonor.

The desire for freedom of the press is not universal even in the same society. In a free government, the public demands publicity in all matters that concern the public,—in legislation, executive action, diplomacy, the courts, political expenditure, conditions of industry, of public health, and of general welfare. But publicity in regard to all these matters, and therefore freedom of the press, while desired by both press and public, is often vigorously opposed by those most actively interested. On the other hand, publicity is often desired by individuals, as prima donnas, "movie stars," and society aspirants, and by organizations, as charitable societies and churches, and in these cases the right to free publicity to be used for personal advantage is seldom recognized either by the press or the public,—publicity needed for public well-being and publicity desired for personal advantage are the distance of the poles apart.

A wide, indefinite territory is found between the freedom of the press desired for the general welfare, and that demanded for personal advancement, and it is from this indeterminate territory and from that occupied by individual aspirants for publicity that unjustifiable complaints of the press are most frequently made. If the press does not report everything about everything and everybody, the charge is brought that the press is muzzled, shackled, cribbed, cabined, and confined. But if the press does report everything that any one wishes to have reported, the absolute freedom of the press resulting would be well illustrated by the domestic conditions portrayed by Anatole France in *The Man who Married a Dumb Wife*.

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[20] Edward Lytton Bulwer, "The Intellectual Spirit of the Times," *England and the English*, II, 9–10.

The ideals of what constitutes freedom of the press also vary in different countries and they are largely determined by the special form of regulation that has prevailed in each. Freedom of the press in England meant at first freedom from the obligation of license,—"Give me liberty to know, to utter, and to argue freely according to conscience, above all other liberties" was Milton's impassioned plea, and his great *Areopagitica* was an argument against legislation that reduced the views of the public to the standards and judgments of a few persons,—in very truth a plea for "the liberty of unlicensed printing" in opposition to the system of license then prevailing, but not for freedom of the press as it was later interpreted. A half century after Milton, freedom of the press began to mean, not freedom from a preliminary license to print, but freedom from burdensome taxation that restricted the printing and the circulation of newspapers. A century and a half still later freedom of the press had come to mean the right of free expression of opinion on all matters of general concern, and protection in it "against the influence of authority and majority, custom and opinion,"—an ideal not yet realized.

In France also there has been a change in the ideals of what constitutes freedom of the press. At the opening of the Revolution, the cahiers of several of the provinces had demanded freedom of the press[21] and the Declaration of the Rights of Man,—"each

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[21] A. de la Forge, "La Liberté de la presse pendant la révolution française," *La Révolution française*, 1881, 1: 41–52. M. de la Forge gives several of these, and others may be found in "Typical Cahiers of 1789," edited by M. Whitcomb, *Translations and Reprints from the Original Sources of European History*, IV, No. 5.

The cahier of the Nobility, Bailliage of Blois, asserted that "From the of its provisions aimed at some great existing abuse,"—asserted that "the free communication of ideas and opinions is one of the most precious of the rights of man; every citizen then can freely speak, write and print, subject to responsibility for the abuse of this freedom in the cases determined by law." But the pendulum quickly completed its arc and less than four years later a decree was issued that deputies to the National Convention must choose between the position of deputy and that of editor,[22]— a decree not enforced, but indicative of coming changes in the theory of freedom of the press. These changes were seen in the decree imposing the death penalty on all persons convicted of writing in favor of the re-establishment of the monarchy, and imprisonment for all selling such works.[23] It is the fashion of the day to complain of the excesses of the press and to attribute to it the violence, the frivolity, and the corruption of the time, but in France the Report of 1797 considered the press the accomplice in all the intrigues and conspiracies of the Royalists and the author of all the crimes against society and republican institutions.[24] The Council of Five Hundred declared that all journals should be under police inspection and by virtue of the Constitution could be prohibited from publishing for one year,[25] although

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right of personal liberty arises the right to write, to think, to print and to publish, with the names of authors and publishers, all kind of complaints and reflections upon public and private affairs, limited by the right of every citizen to seek in the established courts legal redress against author or publisher, in case of defamation or injury; limited also by all restrictions which the States General may see fit to impose in that which concerns morals and religion."

The cahier of the Third Estate, Bailliage of Versailles, with more natural timidity, demanded only that "A wider liberty of the press shall be accorded, with this provision alone: that all manuscripts sent to the printer shall be signed by the author, who shall be obliged to disclose his identity and bear the responsibility of his work; and to prevent judges and other persons in power from taking advantage of their authority, no writing shall be held a libel until it is so determined by twelve jurors, chosen according to the forms of a law which shall be enacted upon this subject."—These two citations are made from *Translations and Reprints, supra.*

[22] A. de la Forge, "La Liberté de la presse pendant la révolution française," *La Révolution française*, 1881, 1: 41–52.

[23] Decree of March 29, 1793, F. M. Anderson, *Constitutions Illustrative of the History of France*, p. 159.

[24] M. Tourneux, "Le Régime de la presse de 1789 à l'an VIII," *La Révolution française*, September, 1893, 25: 193–213.

[25] Section XXXV.

the fundamental law of the constitution had been somewhat more liberal.[26]

This illustrates fairly well the oscillation between extremes of freedom and of repression that has made up the history of the press in France for more than a hundred years and even yet has found no sure resting place.[27] When, as under the Second Empire,[28] "the unlimited circulation of news and the free discussion of politics were forbidden, the journalist's energy poured into other channels." The result was that French journalism "was the only considerable journalism in history in which form has prevailed over matter," and when the new freedom brought the journalist into touch with the masses of the nation "pure literature began to be ejected by the machinery of the press." [29]

If lack of freedom of the press in France had its compensation in "an eruption of literature" as distinguished from journalism, serious and fundamental disagreements as to the mutual relations of State and Church had somewhat earlier led to the development of a free press that all too quickly had been repressed. Lamennais and his friends, Lacordaire and Montalembert, had started *L'Avenir* in the interests of liberal Catholicism and in advocacy of the separation of Church and State, but because it was displeasing to the Church it was suppressed by the State.[30]

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[26] "Il n'y a ni privilége, ni maîtrise, ni jurande, ni limitation à la liberté de la presse, du commerce, et à l'exercice de l'industrie et des arts de toute espèce.—Toute loi prohibitive en ce genre, quand les circonstances la rendent nécessaire, est essentiellement provisoire, et n'a d'effet que pendant un an au plus, à moins qu'elle ne soit formellement renouvelée."—L. Tripier, *Constitutions qui ont rêgi la France*, Constitution of 1795, Sec. 355.

[27] J. P. Wallis, "Liberty of the Press in France," *Nineteenth Century*, February, 1899, 45: 315–326.

[28] The press laws of Louis Napoleon as President and afterwards as Emperor are given in F. M. Anderson, *Constitutions Illustrative of the History of France*, pp. 549–554; the Senatus-Consultum on the publication of legislative debates is given p. 577; the decree according "full and complete amnesty to all condemned for press offenses from December 3, 1852 to September 3, 1870" is given p. 596.

[29] "Changes in the French Press," *The Nation*, November 22, 1906, 83: 432–433.

[30] The most recent as well as the best account of Lamennais and *L'Avenir* is given by H. J. Laski, *Authority in the Modern State*, pp. 232–259; Mrs. Oliphant in her *Memoir of Count de Montalembert*, I, 111–203, has given the traditional account of *L'Avenir;* the accounts of Hatin both in *L'Histoire de la presse* and the *Bibliographie* are brief and seem unsympathetic.

Thus freedom of the press in France, in distinction from its meaning in England, has meant freedom from pre-censorship; from punitive censorship; from the controversies between Church and State that have given it a double-headed control; from the requirement of signature. As in every other country, these conditions have not existed simultaneously, but each restriction has resulted in a special demand for a special form of freedom.

In Germany, freedom of the press has meant freedom from imperial domination, from military control, from class influence, from the Krupp management, from official alliance with advertisers, from charges of *lèse majesté*, from punitive censorship. In Germany its own internal conditions have given a special interpretation to the meaning of freedom of the press.

In Russia, freedom of the press has meant in large part freedom from bureaucratic control, from the prescription of long lists of subjects not to be treated by it, from limitations on the right to establish new papers and periodicals. Much has been written in regard to freedom of the press in Russia,[31] but the consensus of opinion is that it has never existed there,[32] except in time of war in regard to military affairs.[33] One illustration of the lack of freedom of the press concerned a banquet planned in 1903 to celebrate the two-hundredth anniversary of the establishment of the first Russian newspaper. The banquet was forbidden by the police when it became known that it was proposed at that time to adopt a series of resolutions demanding freedom of the press. The committee in charge of the proposed banquet subsequently sent to all newspapers a copy of the preamble and the eight resolutions they had intended to offer. The resolutions from the point of view of countries where freedom of the press prevails, seem not radical. The most important demand made in them was that of reserving to the press the broadest legal right of discussing public and governmental affairs,—"No limitation of this right by administrative authority is permissible." [34]

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[31] See Stepniak, *Russia under the Tzars*, Chaps. XXIX, XXX; Anatole Leroy-Beaulieu, *The Empire of the Tsars*, "The Press and Censure," II, 426–479.

[32] "To-day freedom of the press is practically unknown in Russia."—Gregor Alexinsky, *Modern Russia*, p. 283 (English Edition, 1913).

Similar opinions are expressed by W. B. Stevani, in *Petrograd Past and Present*, where he gives one chapter to "The Russian Press," pp. 263–271, and one to "Foreign Correspondents and Censors," pp. 272–279.

[33] This point was made clear in the articles of Melville E. Stone on "The Removal of the Russian Censorship on Foreign News," *Century*, May, 1905, 48: 143–151.

War correspondents frequently noted the same relative freedom in the reports of the war.

The New York *Times* in commenting on the practice of other capitals to report only victories, leaving the reports of their defeats to be given by the other side, notes that "from the very beginning the Russians have varied from the usual policy, and from that land, where the powers of censorship have been and still are used with a ruthlessness unknown elsewhere, there have been received throughout the whole course of the war dispatches notable for fullness and accuracy."—February 25, 1915.

"The truth is rarely written in Russian," says a recent writer. "I do not mean that its writers are all so poor-spirited that they will not brave the penalty. The fact that between 1905 and 1909 more than four hundred journalists were arrested and sentenced in Russia is even more instructive than the many instances of untruthfulness collected by . . . But the Russian idealist, as a rule, is compelled to write in a foreign tongue. Much that is thus written escapes, not only the censor, but the just pressure of healthy criticism, and we read it with reserve. There is exaggeration in revolt as well as in reaction." [35]

The historian therefore finds the anomalous condition of a press that in time of peace yields scarcely more than "the negative results of research," but that in time of war, when the press of other countries is under the strictest censorship, gives full and impartial reports of all military activities, and in this restricted but large field may be said to have real freedom. And he also finds that in time of peace freedom of the press may vary with the nature of the government in power. "There is no such thing [in Russia] as freedom of the press," wrote a press correspondent early in 1918. "Only the most radical of socialist newspapers are permitted to be printed, and these never contain a word as to conditions on the fighting front. They do publish in great detail the news of the armistice and peace parleys that are being held with the Germans, but aside from that their columns are barren of news about the general progress of the war, and the conditions under which the Russian armies are being maintained."[36]

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[34] The resolutions are given in full in the New York *Evening Post*, February 3, 1903.

The national celebration of the fiftieth anniversary of the entrance of a prominent Russian editor into a literary career was made the occasion by the *Evening Post* of an excellent résumé of freedom of the press in Russia.—March 23, 1909.

[35] J. M'Cabe, *The Soul of Europe*, p. 264.

In Russia, therefore, probably less than in any other country has it been possible, or is it now possible, to state what is meant by freedom of the press.

The abstract theory of the benefit of a free press has prevailed in America from the time of the difficulties with England and the establishment of the Constitution until the present time.[37] It has often, however, been more honored in the breach than in the observance and its exact meaning has never at any time been more clearly defined than it is to-day. The varying degrees of freedom of the press have in America, as elsewhere, been confused with justifiable criticism, seditious libel, censorship, and regulation of the press; popular conceptions of it have been confused with judicial interpretations of it; judicial interpretations have been based on the English common law; but, says Chafee, "the founders [of the Constitution] had seen seventy English prosecutions for libel since 1760, and fifty convictions under that common-law rule, which made conviction easy. That rule had been detested in this country ever since it was repudiated by jury and populace in the famous trial of Peter Zenger." And it must not be forgotten, he goes on to say, "that the controversy over liberty of the press was conflict between two views of government, that the law of sedition was a product of the view that the government was master, and that the American Revolution transformed into a working reality the second view that the government was servant, and therefore subjected to blame from its master, the people."[38]

During the period preceding the adoption of the Federal Constitution, it was inevitable that the theory of the sovereignty of the people should be adopted. The two theories had first crossed swords in the Zenger trial where the Assembly of New York, representing the people, and the governor of New York, representing the king, had ostensibly argued the question whether a person was at liberty to criticise authority adversely and whether such criticism, even though true, in itself constituted libel. John Peter Zenger had criticised unfavorably a much-disliked governor of New York and was tried for libel in 1735. He was ably defended by Alexander Hamilton, a noted Philadelphia advocate of Scotch birth, and acquitted by the jury. The defense made was that the statements of *The Weekly Journal* were true and therefore not libellous. The Court held that the greater the truth the greater the libel, but it was unwilling to put to the test either the truth or the falseness of the criticisms made in *The Weekly Journal*. The acquittal of Zenger "first established in North America the principle that in prosecution for libel the jury were the judges of both the law and the facts." [39] Freedom of the press was secured and new courage to combat arbitrary power was infused into the Province of New York. While the main point at issue in the trial itself had been the question what constituted a libel, the point really gained was the assertion by implication of the right of the people to criticize the government. "The liberty of the press was secure from assault and the people became equipped with the most powerful weapon for successfully combating arbitrary power, the right of freely criticizing the conduct of public men." [40]

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[36] F. A. Gaylord, New York *Evening Post*, February 5, 1918.

[37] See L. R. Schuyler, *The Liberty of the Press in the American Colonies before the Revolutionary War.* 1905.

[38] Z. Chafee, Jr., *Freedom of Speech*, pp. 22–23, 24.

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[39] L. Rutherfurd, *John Peter Zenger*, p. 131.

[40] *Id.*

The prosecution and trial of John Peter Zenger involved several points somewhat incidental to this discussion but of great importance in the history of freedom of the press. He was first charged with circulating two songs reflecting on the magistrates, and their fate is indicated by the following order of the Supreme Court:

"*At a Supreme Court of Judicature held for the Province of* New-York, *at the City of* New-York, *Octob.* 19, 1734. *Present the Honourable* James DeLancey, *Esq; Chief Justice, the Honourable* Frederick Philipse, *Esq; second Justice.*

"The Grand Jury having yesterday Presented two Scandalous and Seditious Songs or Ballads, lately dispersed about his City, one entituled, *A Song made upon the Election of New Magistrates for this City;* the other entituled, *A Song made on the foregoing Occasion*, both highly defaming the present Administration of His Majesty's Government in this Province, tending greatly to inflame the Minds of His Majesty's good Subjects, and to disturb and destroy that Peace and Tranquility which ought to subsist and be maintained in this Colony and in all other well governed Communities; of which *Virulent*, *Scandalous* and *Seditious Songs* or *Ballads*, they have not been able, on a strict enquiry, to discover either the Author, Printer or Publisher. *It is therefore Ordered by the Court* That said *Virulent*, *Scandalous* and *Seditious Songs* or *Ballads* be burnt before the City-Hall, sitting the Court, by the hands of the *common Hangman*, or *Whipper*, on *Monday*, The position taken by Jefferson in opposing the Alien and Sedition Acts of 1798 was but the natural outcome of his earlier utterance on the same general subject. He had written to James Currie, January 18, 1786, "Our liberty depends on the freedom of the press, and that cannot be limited without being lost." [41] A year later, writing to Edward Carrington from Paris on the general good sense of the public, he had said: "The people are the only censors of their governors; and even their errors will tend to keep these to the true principles of their institution. To punish these errors too severely would be to suppress the only safeguard of the public liberty. The way to prevent these irregular interpositions of the people, is to give them full information of their affairs through the channel of the public papers, and to contrive that those papers should penetrate the whole mass of the people. The basis of our government being the opinion of the people, the very first object should be to keep that right; and were it left to me

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the 21*st* of this Instant, at 12 o'Clock, and that the High-Sheriff of this City and County do take Order accordingly."

Two weeks later another order was issued concerning *The Weekly Journal:*

"*Whereas by an Order of this Board, of this Day, some of* John Peter Zenger's *Journals, entitled,* The New-York weekly Journal containing the freshest Advices, foreign and domestick, No. 7, 47, 48, 49, *were ordered to be burnt by the Hands of the common Hangman, or Whipper, near the Pillory in this City, on* Wednesday, *the* 6th *Instant, between the Hours of Eleven and Twelve in the Forenoon, as containing in them many Things tending to Sedition and Faction, to bring His Majesty's Government into Contempt, and to disturb the Peace thereof, and containing in them likewise, not only Reflections upon His Excellency the Governour in particular, the Legislature in general, but also upon the most considerable Persons in the most distinguished Stations in the Province. It is therefore ordered, That the Mayor, and Magistrates of this City, do attend at the Burning of the several Papers or Journals aforesaid, Numbered as above mentioned.*"

The Aldermen refused to witness the burning of the papers; the presence of the Mayor and the Aldermen of London at the burning of Dr. Sacheverel's sermon was cited to show that they ought to be present, but the Aldermen were obdurate and denied any parallelism between the two cases. Zenger himself narrates what subsequently took place:

"Soon after which the Court adjourned, and did not attend the Burning of the Papers. Afterwards about Noon, the Sheriff after reading the Numbers of the several Papers which were ordered to be burnt, delivered them into the Hands of his own Negroe, and ordered him to put them into the Fire, which he did, at which Mr. Recorder, *Jeremiah Dunbar*, Esq; and several of the Officers of the Garrison attended."

These citations are from Rutherfurd, pp. 40, 42, 45. The volumes contain a literal reprint of the first edition of the case and a history of the trial, pp. 173–246.

[41] T. Jefferson, *Writings*, Ford Edition, IV, 132.

to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter. But I should mean that every man should receive those papers, and be capable of reading them." [42] In the same spirit he later wrote to Charles Yancey, saying "where the press is free, and every man able to read, all is safe." [43] To Washington he had written: "No government ought to be without censors; and where the press is free, no one ever will." [44] And towards the end of his life he wrote to Lafayette, indicating no change in spirit, "An hereditary chief, strictly limited, the right of war vested in the legislative body, a rigid economy of the public contributions, and absolute interdiction of all useless expenses, will go far towards keeping the government honest and unoppressive. But the only security of all, is in a free press. The force of public opinion cannot be resisted when permitted freely to be expressed. The agitations it produces must be submitted to. It keeps the waters pure." [45]

All of these attestations of a belief in the theory of a free press were not inconsistent with an entire disapproval of much printed in the press and place Jefferson in the same class with Voltaire in upholding the abstract right of freedom while disagreeing with its concrete expression.[46] The corollary that followed was an opposition to prosecution of the press even where it was flagrantly in the wrong,[47] though later, exasperated by the attacks of the

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[42] January 16, 1787, *Works*, Monticello edition, VI, 55–59.

[43] January 6, 1816, *Writings*, Ford edition, X, 4.

[44] September 9, 1792, *Works*, Monticello edition, VIII, 406.

[45] November 4, 1823, *ib.*, XV, 491.

[46] He wrote Dr. Jones, January 2, 1814: "I deplore, with you, the putrid state into which our newspapers have passed, and the malignity, the vulgarity, and mendacious spirit of those who write for them. . . . These ordures are rapidly depraving the public taste, and lessening its relish for sound food. As vehicles of information, and a curb on our functionaries, they have rendered themselves useless, by forfeiting all title to belief."—*Writings*, Ford edition, IX, 446–447.

[47] Jefferson wrote to Thomas Seymour, February 11, 1807: "Conscious that there was not a *truth* on earth which I feared should be known, I have lent myself willingly to a great experiment, which was to prove that an administration conducting itself with integrity and common understanding, cannot be battered down, even by the falsehoods of a licentious press, and consequently still less by the press, as restrained within the legal & wholesome limits of truth. This experiment was wanting for the world to demonstrate the falsehood of the pretext that freedom of the press is incompatible with orderly government."—*Writings*, Ford edition, IX, 30.

Federalist press, he thought that "the press ought to be restored to its credibility if possible. The restraints provided by the laws of the states are sufficient if applied. And I have long thought," he continues, "that a few prosecutions of the most prominent offenders would have a wholesome effect in restoring the integrity of the presses. Not a general prosecution, for that would look like persecution: but a selected one." [48] Jefferson's opposition to the Sedition Law had thus been threefold,—the Federal Government had exceeded its powers in passing it; the law in itself was objectionable; in the enforcement of the law its original purpose was merged into a persecution of the Republican press.[49]

The most bitter of all these controversies over freedom of the press was that between the upholders and the opponents of slavery over the printing and the circulation of so-called incendiary literature. The weapons used by one side in the controversy were the destruction of printing-presses,—four presses of E. P. Lovejoy were destroyed in succession;[50] the type and other printing material of the Utica *Standard and Democrat*, the Abolition paper of the city, were thrown into the street;[51] the breaking up of meetings in support of a free press;[52] personal assaults;[53]

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[48] *Writings*, Ford editon, VIII, 218–219.

The whole question of Jefferson's theory and practice in regard to the press is admirably presented by W. C. Ford in "Jefferson and the Newspaper," *Columbia Historical Society Records*, 8: 78–111.

[49] The question of "The Enforcement of the Alien and Sedition Laws" is ably considered by F. M. Anderson in *Report of the American Historical Association*, 1912, pp. 113–126, and he discusses the "Contemporary Opinion of the Virginia and Kentucky Resolutions" in the *American Historical Review*, October, 1899, 5: 45–63; January, 1900, 5: 225–252.

[50] Joseph C. and Owen Lovejoy, Memoir of *Rev. Elijah P. Lovejoy;* Edward Beecher, *Narrative of Riots at Alton; Alton Trials.*

[51] "One formidable enemy, yet remained for these fiendish 'Patriots,' these 'peaceable citizens' to overcome—THE PRESS. . . . They sought the darkness of night to cover from the view of the world that blackest and most infamous deed, the destruction of the press in this land of liberty."—*The Enemies of the Constitution Discovered by Defensor*, p. 93.—Accounts of the "excitement at Utica" are given in Niles, XLIX, 146–149.

This volume of *Niles*, it is interesting to note, gives from the *Richmond Compiler*, extracts from the Federal Constitution, and many from the constitutions of every state then in the union guaranteeing freedom of speech and of the press and showing "that no law can constitutionally be passed for the purpose of restraining the fanatics of the north in their crusade against our rights."—*Niles' Register*, XLIX, 236–237.

[52] *Life of William Lloyd Garrison*, by his Children.

[53] G. A. Lawrence, *Benjamin Lundy*, p. 26.

burning of property;[54] suits for libel and rebukes by courts;[55] attempted restriction through legislation;[56] the inspection of mails and detention of papers;[57] defamatory articles published in the press, and every other device that could be invented to suppress freedom of the press.

The effect of these efforts was only to add fuel to the flames. Attacks on the press in one community led to its reappearance in another; the suppression of a paper under one name led to its revival under another; attempts to suppress free speech in a community roused a courageous press to come to its support,—during the anti-slavery agitation "when attempts were made to prevent the abolitionists from holding meetings in Nantucket, *The Islander* championed the cause of the lecturers and dealt vigorous blows against those who attempted to break up the meetings."[58] When Wendell Phillips had hurled defiance at a Boston mob with the words, "Howl on, I speak to thirty millions here," at least a part of the press realized that the real question at issue was less that of the abolition of slavery than that of free speech and a free press. A jury brought in a verdict for the leaders of the mob that killed Lovejoy, but it must be remembered that a jury had previously brought in a verdict in favor of his supporters.[59] When the Rev. Edward Beecher, at a meeting in Alton, November 2, 1837, presented a series of resolutions in support of freedom of the press and demanding the protection of Lovejoy, the resolutions were referred to a committee and the meeting adjourned until the following day,—when resolutions condemning Lovejoy's paper were adopted,[60] but "the idea that the supporters of Mr. Lovejoy were not acting as abolitionists, but as friends of law and good order, and that a large portion of them were not abolitionists, and that they were not a party, but merely friends of their country and opponents of mob law, does not seem to have occurred to the committee at all."[61]

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[54] G. A. Lawrence, *Benjamin Lundy*, p. 43.

[55] *Ib.*, p. 27.

[56] President Jackson recommended a law prohibiting "under severe penalties, the circulation in the southern states, through the mail, of incendiary publications intended to instigate slaves to insurrection."—Message of December 2, 1835.—A bill embodying this idea and enumerating "newspapers, pamphlets, pictures, or any other paper" was introduced into the Senate, but it failed to pass.—Debates of Congress, XII, 771.

[57] The postmaster of Charleston, S. C., detained the "incendiary papers" sent through the mails and then wrote Amos Kendall, the Postmaster-General for instructions. The latter sent a Delphic reply, including the statement "We owe an obligation to the laws, but a higher one to the communities in which we live, and if the *former* be perverted to destroy the *latter*, it is patriotism to disregard them. Entertaining these views, I cannot sanction, and will not condemn the step you have taken."—*Niles' Register*. XLVIII, 448.

The Charleston postmaster had also written to the New York City postmaster, who in turn appealed to the American Anti-Slavery Society, asking it to refrain from sending such literature through the mails until a statement could be received from the Postmaster-General, but the letter received from him was equally delphic.—The entire correspondence with Amos Kendall in regard to incendiary literature is as interesting to-day as it must have been in 1835. Much of it is given, together with comments on it in *Niles*, XLVIII, 446–448, XLIX, 7–12.

[58] H. B. Fuller, in R. A. Douglas-Lithgow, *Nantucket*, p. 333.

It had, however, occurred to many others and the columns of *Niles' Register* all during these years indicate vigorous protest against all efforts on the part of the pro-slavery party to curb freedom of the press. Even the cautious New York *Herald* reminded the South that "When they . . . demand of the North to pass laws infringing the liberty of the press we must tell them frankly that they are running into a similar degree of fanaticism to that which they object to in the abolitionists." The Boston *Courier* expressed its opinion vigorously in rhyme and the concluding stanza of one selection ran:

"Rail on, then 'brethren of the south'—
  Ye shall not hear the truth the less—
No seal is on the Yankee's mouth,
  No fetter on the Yankee's press!
From our Green Mountains to the sea
One voice shall thunder—WE ARE FREE!"[62]

And even Calhoun realized that the law proposed by President Jackson in his message of December, 1835, would be unconstitutional and would moreover act as a two-edged sword since to give Congress the right to determine what papers were incendiary would in effect "clothe Congress with the power to abolish slavery,"[63] though his own bill that placed with postmasters the responsibility of deciding what was incendiary literature was undoubtedly equally unconstitutional.

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[59] *Alton Trials.*

[60] E. Beecher, *Riots at Alton*, pp. 95–96.

[61] *Ib.*, p. 83.

An important pamphlet on this phase of the subject is *Narrative of the late riotous proceedings against Liberty of the Press in Cincinnati.* 1836.

[62] *Niles' Register*, XLIX, 65.

[63] J. C. Calhoun, *Works*, V, 196–197.

The fourth great crisis in the history of freedom of the press in America came during the time of the Civil War when an attack on it was made in the effort to suppress sympathy with the South and to suppress criticism of the Federal Government, but these efforts received little support. Carl Schurz has described his first experience of being attacked and vilified by political opponents who raised the familiar cry that he was "in the pay" of those whose cause he was supporting.[64] This called forth the question whether it would not be advisable to pass restrictive measures preventing the license of the press in attacking public men. But to this his emphatic answer was, "In spite of many provocations I have had to suffer, I have always been opposed to such a policy." He argues that while freedom of the press in the discussion of public characters is liable to gross abuse, restrictive legislation would be liable to far more dangerous abuse. "I do not know," he adds, "of a single instance of a public man in our political history being destroyed or seriously injured in his standing or influence by unjust attacks upon his character." Public men are often justly criticised and conscientious attacks would be discouraged were more restrictive laws in force. While it is often said that persons of fine sensibilities do not enter public life on account of the liberties the press would take with their names, such persons he compares with men who are willing to serve as soldiers only on condition that they are not compelled to march over muddy roads. But as roads are made better and therefore less muddy, so the remedy for these conditions lies in improving the press. "The American people," he concludes, "can not be too careful in guarding the freedom of speech and of the press against any curtailment as to the discussion of public affairs and the character and conduct of public men. In fact, if our newspaper press has become at all more licentious than in olden times, it is in the way of recklessly invading social privacy and of the publication of private scandals. The discussion of public matters and the treatment of men in office, especially in high office, has gradually become very much more discreet and lenient than it was in the early times of the Republic. Private scandal may perhaps be repressed by a strengthening of the libel laws."

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[64] Carl Schurz, *Reminiscences*, II, 133–142.

His faith in his own theory of the necessity for freedom for the press was sorely tested, not for himself but by what the Eleventh Corps suffered at the hands of the press after the battle of Chancellorsville;—"a trial far more severe than all the dangers and fatigues of the disastrous campaign. Every newspaper that fell into our hands told the world a frightful story of the unexampled misconduct of the Eleventh Corps. . . . We procured whatever newspapers we could obtain—papers from New York, Washington, Philadelphia, Boston, Pittsburgh, Cincinnati, Chicago, Milwaukee,—the same story everywhere." The bitterness of the controversy with General Hooker was still more embittered because the false reports circulated through the press were dated from his headquarters and were not contradicted.[65]

During the Civil War, Lincoln was urged to suppress the Chicago *Times*, but he protested against such action and wrote his correspondent: "I fear you do not fully comprehend the danger of abridging the liberties of the people. A government had better go to the very extreme of toleration than to do aught that could be construed into an interference with or jeopardize in any degree the rights of the people."[66] He subsequently yielded, however, and General Burnside gave the order suspending it. But he still had misgivings and he wrote to Stanton, June 4, 1863, "I have received additional despatches, which, with former ones, induce me to believe we should revoke or suspend the order suspending the Chicago *Times* and if you concur in the opinion, please have it done."[67] But the matter still would not down and he wrote to I. N. Arnold, May 25, 1864: "In regard to the order of General Burnside suspending the Chicago 'Times', now nearly a year ago, I can only say I was embarrassed with the question between what was due to the military service on the one hand, and the liberty of the press on the other, and I believe it was the despatch of Senator Trumbull and yourself, added to the proceedings of the meeting which it brought me, that turned the scale in favor of my revoking the order.

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[65] Carl Schurz, *Reminiscences*, II, 432–434.
[66] *Suppression of the Chicago Times*. Pamphlet.
[67] *Works*, Nicolay and Hay, Tandy edition, VIII, 290.

"I am far from certain to-day that the revocation was not right; and I am very sure that the small part you took in it is no just ground to disparage your judgment. . . ." [68]

But Secretary Welles had had no such misgivings and he wrote in his *Diary*, "The arrest of Vallandingham and the order to suppress the circulation of the *Chicago Times* in his military district issued by General Burnside have created much feeling . . . these acts, . . . are Burnside's, unprompted, I think, by any member of the administration, . . . The President—and I think every member of the Cabinet—regrets what has been done. . . ." [69]

At the opening of the war in August, 1914, the American press, in common with the press of all neutral nations, came within the pale of neutrality prescribed by government. When America entered the war in April, 1917, the American press was released from the obligation to be neutral, but it was tacitly expected to support the war to the utmost, and many held that it also incurred the obligation not to criticise the Federal Government; in common parlance, "the shoe was on the other foot." Whenever war on a large scale has been declared, the freedom of the press of all countries, both those at war and neutral nations, has thereby become seriously impaired. "When war is declared, the first casualties are free press and free speech."

But during the same period, the press of the nations actively engaged in war was never expected to be neutral, but on the contrary from the first day it was relied upon to support both war and the governments behind it. No change of policy amid stream is therefore found. But the American press during this period was much less free than was the English press. So displeasing had been the efforts made to prevent an alliance between America and the European Allies that scarcely an American periodical ventured to print anything that could be construed into an expression of sympathy or good will towards Germany or an individual German. The American press was as definitely suppressed on this one point by the public opinion of the day as if it had been controlled by definite restrictive legislation. In England, with a much smaller percentage of German population, without a German-British press, and far less under the influence of German propaganda, the press at every point seemed more free than did the press of America. This is but one illustration of the limitations on the freedom of the press in a critical period due to semi-official action, vigorously supported by public opinion.

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[68] *Works*, Tandy edition, X, 108.

[69] Gideon Welles, *Diary*, June 3, 1863, I, 321.

It is thus seen that in the history of freedom of the press in America five great crises have come that have threatened to stifle all free, spontaneous expression of opinion. In the Zenger trial, authority in the person of the state sought to suppress the criticism made of public officials, but the result of the trial was to secure to the people and to the press the right of such criticism. Through the alien and sedition laws, authority sought to prop up its own position, though in reality to suppress the press of the opposite political party, but its policy in the end resulted only in its own dethronement from political power. The effort to prevent the printing and circulation of incendiary literature grew out of a desire to avoid offending a wealthy and influential section of the country, but the effort only postponed the inevitable day of retribution. During the Civil War period, the effort on the part of the Federal Government to suppress sympathy with the South brought only criticism against itself and the policy was quickly repudiated by it. During the recent war, the effort to suppress the press charged with pro-German sympathy or with radical tendencies has met with a temporary partial success, but the end is not yet. In all of these five great crises, authority in the person of the government has held the whip hand, but wherever even partial success has been achieved, the victory has been a Pyrrhic one. Freedom of the press has from time to time suffered a temporary defeat, but by the path of an ever-ascending spiral, it has ultimately won the day.[70]

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[70] It is encouraging to note that the Pulitzer prize for the best editorial of the year was awarded in May, 1923, to William Allen White. The theme of the editorial was freedom of the press; it appeared in the Emporia, Kansas, *Gazette*, July 27, 1922, and was widely copied throughout the country.

These different crises in the struggle for freedom of the press in America have been suggested not in any way to indicate even in outline a history of the subject in this country, but only by way of pointing out the dangers that lurk in the use of the press by the historian during these crucial periods.

It is possible that the whole subject of freedom of the press and the limitations on it is fairly well illustrated by the condition of the college press in every college and university in the country.

A college newspaper may conspicuously display the legend, "The *News* is a free forum for the expression of public opinion," and this creed may be accepted without mental reservation by every person connected with the institution as expressing the ideals he believes are exemplified in every issue of every college publication. But probably every college publication in the country is conscious of the limitations unintentionally placed on its utterances by the opinions of its readers and by college authorities. The professor of art objects to the criticism of an art exhibition on the ground that the critic has shown his ignorance of art; the editors hesitate to correct a serious error made by the chairman of the department of history; a letter to the editors about the spending of money must be left out because it does not agree with the policy advocated by the professor of economics; the somewhat commonplace musical recital given by the brother of the head professor of music must be overgenerously praised; an expression of genuine and hearty appreciation of the work done by the department of English is suppressed lest it evoke the taunt "faculty pets"; the report of a students' meeting must be omitted because something was said that may be misinterpreted; the names of a committee printed as sent (incorrectly) by the secretary makes the campus ring with the three-century-old cry, "You can't believe what the *News* says"; the report of an important meeting of a student society—received as the paper is going to press—if placed inconspicuously, rouses indignation over "suppression of the news"; a point of view about the college flag must be omitted lest it offend the alumnus who gave it; a concert in town must be written up, although attendance may be most inconvenient, because four complimentary tickets have been sent the editors; the gift of the munificent benefactor that may not meet any long-felt need must receive the enthusiastic approbation of the *News*. Thus even in the cloistered halls of a great university may be daily met the world-wide question of freedom of the press.[71]

It seems impossible to avoid any other conclusion than that absolute freedom of the press is an ideal that does not exist outside of the imagination and that it never has, and never can be obtained. Preceded by censorship and by regulation, followed by government control and by press bureaus, publicity committees, and organized propaganda, freedom of the press seems reduced to a mere mathematical point. The conception of it has always been fluctuating, never stable. It has been limited in one country by government action, in another by vested wealth, in another by political parties; elsewhere it has been controlled by the church, in another country by the ascendant industry, in another by chauvinism, and everywhere by authority. Reasonable limitations are put on it by laws against libel and fraud,—unreasonable limitations vary with every changing breeze. Freedom for the press is as unattainable as is freedom for the individual, and yet,—we still believe, and rightly, that a country's freedom is measured by the freedom accorded its press.

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[71] Concrete cases of actual interference by authority with college journalism are believed to be rare. But recent single instances have been noted in Williams College, in Columbia University, and in the Universities of California, Georgia, Michigan, Ohio, Pennsylvania, and Wisconsin. The general comment these cases have aroused indicates that they are exceptional and can not be regarded as betokening any general interference with the college press.

CHAPTER XI

LIBEL AND LIBEL SUITS

"A lie will make the circuit of the globe while truth is putting on its boots to follow."

"Tho' some make slight of *Libels*, yet you may see by them how the wind sits: As take a straw and throw it up into the Air, you shall see by that which way the Wind is, which you shall not do by casting up a Stone. More solid things do not show the Complexion of the times so well as Ballads and Libels."—*John Selden*, 1689.

"Sir, I hear a great Discourse in the Town about punishing Libels, occasion'd by the late Examination of Authors, Printers, &c., and this has mov'd my Curiosity to enquire into an old Question, which I cou'd never yet get answer'd, and I doubt never shall (viz.) What a Libel is.

"Not the ablest Lawyer I have met with has been able to give me a stated Rule to judge it by. In many Enquiries into particular Papers we can easily determine, that this is a Libel, and that is a Libel; but there is a manifest difference between the two Questions, namely, What is a Libel, and what a Libel is."—*Defoe*, 1721.

"Those who slowly built up the fabric of our laws, never attempted anything so absurd as to define by any precise rule the obscure and shifting boundaries which divide libel from history or discussion. It is a subject which, from its nature, admits neither rules nor definitions."—*Sir James Mackintosh*, 1803.

"I have never yet seen, nor have myself been able to hit upon, anything like a definition of libel, and I cannot help thinking that the difficulty is not accidental, but essentially inherent in the nature of the subject-matter."—*Lord Lyndhurst*, 1843.

"No caution that human art can devise will totally exclude libels from a newspaper. . . . The publication of the inadvertent and excusable libel is one of the unavoidable hazards connected with the production of a newspaper."—*Henderson*, 1915.

"It is beyond question that if the whole bench of judges were to edit a paper they could not prevent a libel occasionally creeping into its columns."—*Thomas*.

THE primary interest of the historian in the subject of libel concerns the question as to how far libel, libel laws, and libel suits have affected the authoritativeness of the press. If the theory in regard to the nature of libel had been static, the answer might be simple. But no question connected with the press has ever been easily answered, and of them all no subject has undergone more transformations than has that of libel. The perplexity of Defoe as to the nature of libel—stated more than two hundred years ago—has been the perplexity of every intervening generation.

One of the main reasons for these changing conceptions of libel is found in the changing nature of the controlling authority. If the Church is the paramount authority, blasphemous libel is singled out as the most heinous form that libel can assume. If the authority of the State is uppermost, it is seditious libel that is most grievous. If Church and State have conjoint authority, blasphemous and seditious libel are alike condemned and the road of the press is indeed a thorny one. If any one "in publishing a libel has done an act likely to lead to a breach of the peace, or to outrage the public conscience, or good morals, or to endanger the safety of the State," he is guilty of criminal or public libel,—a somewhat modified, modern form of seditious libel. But if it is a private individual who has suffered, the offense becomes civil libel. All of these main forms of libel moreover have innumerable gradations, variations, and shadings.

Blasphemous libel that was once interpreted as meaning a publication that impugned the fundamental doctrines of Christianity is no longer so considered. Sir James Stephen held that only a beneficed clergyman of the Church of England should be liable to ecclesiastical censure for "atheism, blasphemy, heresy, schism, or any other opinion," and that the repeal of the statute of William III[1] would secure complete liberty of opinion on these matters and "would prevent the recurrence at irregular intervals of scandalous prosecutions which have never in any one instance benefitted any one," though they "sometimes afford a channel for the gratification of private malice under the cloak of religion."[2]

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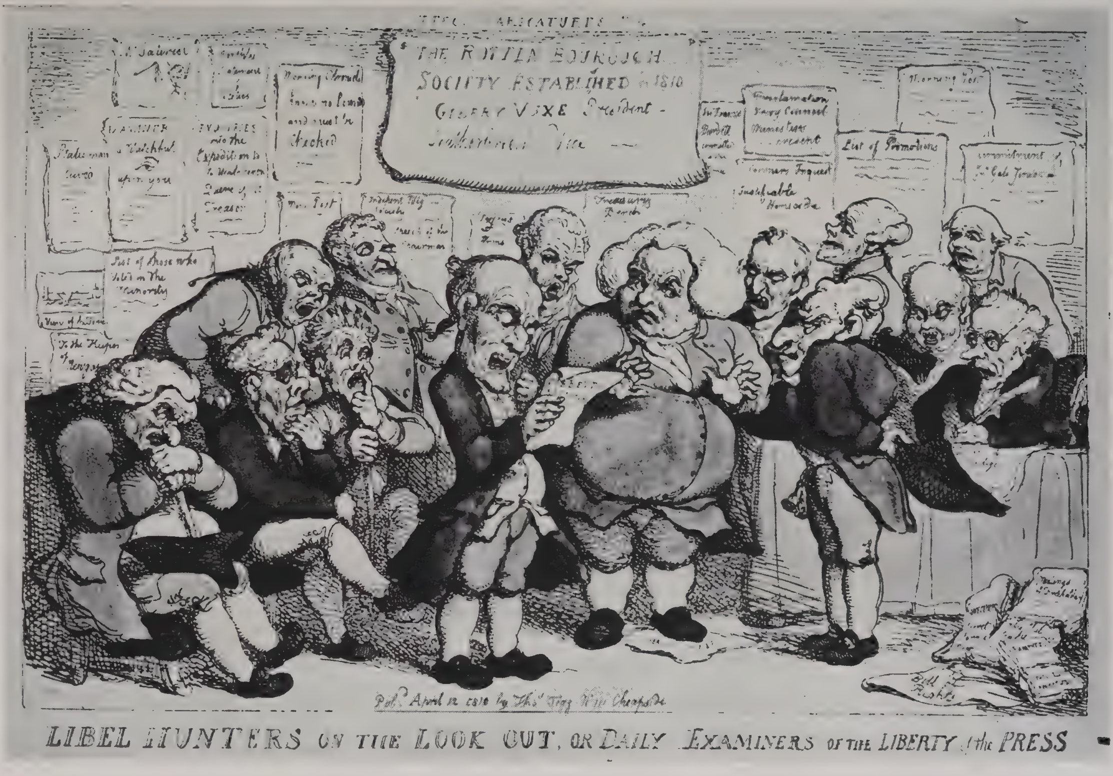
[1] The statute of William III grew out of an address by the House of Commons to the King calling on him to suppress "pernicious books and pamphlets which contain in them impious doctrines against the Holy Trinity and other fundamental articles of our faith." The King complied with a proclamation "for preventing and punishing immorality and profaneness."

[2] James Fitzjames Stephen, "Blasphemy and Blasphemous Libel," *Fortnightly Review*, March, 1884, n. s. 35: 289–318.

The history of blasphemous libel is given by J. F. Stephen in *History of the Criminal Law of England*, II, 396–497. The article in the *Fortnightly* is practically a résumé, in untechnical language, of the arguments and decisions given in the *History*.


THE ROTTEN BOROUGH SOCIETY ESTABLISHED in 1810
GILBERT VAXE President
Morning Post
List of Promotions
Treasury Bench
Proclamation
List of those who voted in the Minority
Pub. April 12 1810 by Thos. Tegg
Bill of Rights
LIBEL HUNTERS ON THE LOOK OUT, OR DAILY EXAMINERS OF THE LIBERTY of the PRESS

Thomas Rowlandson on "Libel Hunters"

In practice, the act of William III has long been a dead letter.[3]

It has been said that seditious libel is a very vague offence, "stretching from high treason on the one hand to contempt of Court on the other." [4] The offence attracted comparatively little attention until the invention of printing gave political writings an importance they did not possess before. Sir James Stephen says he does not know of an attempt to distinguish between liberty and license, but that liberty of the press had a definite legal meaning and also a definite popular meaning. In the mind of the public, it meant "the right of unrestricted discussion of public affairs, carrying with it the right of finding fault with public personages of whose conduct the writer might disapprove," —an interpretation that "was absolutely opposed to the law." Nearly the last trial of the old type for seditious libel was that of William Cobbett for an article in the *Political Register* in 1830. "Since the Reform Bill of 1832, prosecutions for seditious libel have been in England so rare that they may be said practically to have ceased." [5]

Criminal libel is a phrase including many varieties of offences, while the offences classed under the head of civil libel have been as numerous as the sands of the sea.

If the effect of all these forms of legal restrictions on the freedom of the press is bewildering in any effort to determine how far they qualify the usefulness of the press for the historian, even more bewildering must be the various interpretations of the law, and of the various authorities to whom the right of interpretation has been assumed to belong.

In the early days of the periodical press, when authority feared its power but had not learned its usefulness, it was the Government that prosecuted the press; particularly the party in power prosecuted the newspapers of the opposition. The law of libel was "rigorously enforced by the Government under William III and Anne; but during the reigns of the first two Georges the Press generally enjoyed more toleration, Sir Robert Walpole being indifferent to its attack, and openly avowing his contempt for political writers of all parties." After the accession of George III, the nation, finding no outlet through the House of Commons, sought it through the press which quickly became a formidable adversary of authority. The Earl of Bute was driven from power by the *North Briton*; John Wilkes became the unworthy exponent of a great cause and won the right of the English press to criticise its political superiors, thereby turning into a different channel the controversy between the State and the periodical press.

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[3] *History of the Criminal Law*, II, 468–469.

[4] Fisher and Strahan, *The Law of the Press*, p. 180.

[5] J. F. Stephen, *History of Criminal Law in England*, II, 302, 349, 372, 373.

The terrors roused by the French Revolution brought a recrudescence of fear on the part of the State and seditious libel was again the spectre that haunted authority. In 1793 Maurice Margarot was a delegate from London to the "British Convention of the delegates of the people associated to obtain universal suffrage and annual parliaments." It met in Edinburgh and was quickly charged with "holding various seditious and illegal meetings" that "were evidently of a dangerous and destructive tendency with a deliberate and determined intention, to disturb the peace of the community, and to subvert the present constitution of the country." The inflammatory speeches and the seditious resolutions and votes were published in the Edinburgh *Gazetteer* and thus were given circulation. Margarot as a prominent member of the Convention was quickly placed on trial for seditious libel, declared guilty, and sentenced to transportation for fourteen years.[6] The nature of seditious libel, as at that time conceived of by authority, was probably best indicated by the address of the Lord Advocate who said he had always been taught that Great Britain was the freest nation on earth; but if it was necessary to constitute freedom that universal suffrage or annual parliaments were a proof of being free, "we have never been free from all eternity, and we are not free at the present moment. I hope in God, in that sense we never shall, because that never can take place." [7] Here as elsewhere the unsafe rôle of prophet becomes a most valuable record of the temper of the times.

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[6] Four others were tried with Margarot. "The unlucky five were most unfairly treated; and were sentenced to transportation to Botany Bay for fourteen years, with the exception of [one], whose sentence was seven years. But only Margarot, the least reputable of them all, survived the sentence and returned to his own country."—J. West, *History of the Chartist Movement*, p. 23.

Thomas Muir was one of those tried with Margarot. The general temper shown throughout the trial is indicated by the treatment accorded one of the witnesses called. He refused, on religious grounds, to take the customary oath. The Court thereupon informed him that no alternative remained "but to commit him to prison, that there was no way by which he could ever obtain his liberation," and "that his imprisonment would be eternal." —*Trial of Thomas Muir*, pp. 35–36.

In all of the agitation over seditious libel that engaged the attention of England during so many years, little progress seemed to be made in determining the nature of libel,—this point had indeed perhaps given authority little concern. It is true that in 1792 Fox introduced his famous bill amending the law of libel and that the passage of this "constituted a most important epoch in newspaper history." But the law, important as it was in shifting from judge to jury the decision as to the guilt or innocence of the defendant and in thus making the jury "the true guardians of the liberty of the press," made no apparent diminution in the number of prosecutions for libel, nor did it change the conception of what constituted a libel.[8]

From the seventeenth century down it has been held from time to time that the publisher of anything considered seditious was himself guilty of libel;[9] that the printer of libellous matter was guilty of libel;[10] that the bookseller who sold a seditious pamphlet was guilty of libel;[11] that reports of debates in Parliament might be adjudged libellous;[12] that foreign rulers were to be protected from aspersions they deemed libellous;[13] that unfavorable comment on authority was dangerous;[14] that it may be possible for one person to publish a criticism of government and unsafe for another;[15] that criticism of the action, or the nature of Parliament may at one time be considered libellous and at another only the legitimate prerogative of opposition newspapers.[16]

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[7] *Trial of Maurice Margarot*, pp. 117–118.

[8] The law is given in C. G. Robertson, *Select Statutes*, pp. 272–273.

In Lord Erskine's *Speeches*, 4 vols., may be found "a complete body of the law of libel."

[9] Henry Carr, 1680; John Tutchin, 1704; the Dean of St. Asaph, 1783, were all held to be guilty of libel because of publishing seditious matter.—C. G. Robertson, *Select Statutes Cases and Documents*, pp. 381–382, 407–408, 489–492.

Mrs. S. Wright, H. Boyle, and J. Rhodes were in 1822 all declared guilty of blasphemous libel for publishing the works of R. Carlile and Thomas Paine.—Collected pamphlets, *Trials for Blasphemy*.

Daniel Isaac Eaton was "prosecuted no less than seven times for publishing seditious or libellous works"; several of these works were pamphlets or articles by Thomas Paine.—W. Longman, *Tokens of the Eighteenth Century connected with Booksellers and Bookmakers*, pp. 29–33.

[10] The printers of the *North Briton* and other printers suffered severely.—T. E. May, *Constitutional History of England*, II, 112–115.

[11] B. Harris, 1680, was adjudged guilty of libel for "having printed and caused to be sold" a libellous pamphlet.—C. G. Robertson, *op. cit.* pp. 379–380.

Daniel Holt was found guilty of selling Paine's *Address to the Addressers*, and various other booksellers were fined and imprisoned for selling Paine's works.—W. Longman, *op. cit.* pp. 41–44.

These illustrations indicate the wide range over which prosecutions for seditious libel have been carried on; the inconsistencies found in such prosecutions and in the decisions reached by judges and juries; and the almost hopeless confusion that, to a layman, has always characterized seditious libel. They also show the almost impassable chasm that is often found between the representatives of authority on the one side and the representatives of the press on the other side in regard to the reasons for and against prosecutions for seditious libel. In his charge to the jury at the trial of

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Thomas Spence suffered punishment for selling Paine's *Rights of Man*, and also for publishing *Pigs' Meat, or Lessons for the Swinish Multitude*,—a periodical issued in weekly parts, and running to three volumes.—*Ib.*, pp. 46–51.

Henry Hetherington was found guilty of selling Haslam's *Letters to the Clergy of all Denominations*.—He had maintained that the publication of opinion should be free. *A Full Report of the Trial of Henry Hetherington on an Indictment for Blasphemy.* 1840.

[12] J. J. Stockdale sued Hansard for libels contained in Parliamentary Papers and secured a verdict in his favor.—C. G. Robertson, *op. cit.* pp. 524–533.

The Parliamentary Reports on this famous case were voluminous since they included not only the question of libel but also considered the subject of parliamentary reporting. They are *Proceedings: Stockdale v. Hansard*, 1839; *Petition of Hansard in the Matter of Stockdale versus Hansard*, 1840; *Minutes of Evidence*, 1840; and *Reports on the Publication of Printed Papers and on the Proceedings in the Action of Stockdale v. Hansard* (1837–1839–1840).

[13] The *Courier*, in 1799, was found guilty of libel on the Emperor of Russia.—T. E. May, *op. cit.* II, 175–176; J. Peltier was found guilty of libel on Napoleon.—*Trial of John Peltier*, 1803; William Cobbett was prosecuted, unsuccessfully, for libel on the King of Spain.—"Peter Porcupine," *The Republican Judge: or the American Liberty of the Press*, London, 1798.

[14] Sir Francis Burdett in 1820 was found guilty of libel in commenting with severity on the conduct of the authorities in dispersing a meeting in Manchester.—C. G. Robertson, *Select Statutes*, pp. 512–517.

President Thomas Cooper of Columbia College, S. C., censured this verdict most severely.—*A Treatise on the Law of Libel*, pp. 106–107.

[15] J. and L. Hunt were acquitted, in 1811, for republishing an article on military flogging printed in the Stamford *News*, but the original printer of the article was a few days later convicted of libel.—T. E. May, II, 179.

[16] H. L. Hunt, *Report of the Cause of the King v. John Hunt for a Libel on the House of Commons.* 1821.

John Tutchin, in 1704, Chief Justice Holt had said: "For it is very necessary for all governments that the people should have a good opinion of it, and nothing can be worse to any government, than to endeavour to procure animosities, as to the management of it: this has always been looked upon as a crime, and no government can be safe without it be punished." [17] It is not the difference of more than a century in time, or the difference of nationality that explains the conflicting view stated by a German student in 1821: "Man must always have an organ with which to express himself. If he is deprived of the Mouth and the Pen, he raises his arm, and writes, instead of with the pen, with the Sword; and instead of paper, on men's bodies." [18] Authority demands restriction, the press demands freedom.

But in all the long history of seditious libel certain characteristics have been always observed. It has always been noticeable that prosecutions for libel have been specially frequent during times of great crises,—wars, revolutions, heated political campaigns, national disagreements over great issues, have always carried with them an unusual number of libel suits. The press is probably not more outspoken at these times than at others. It is often indeed true that many of its representatives become timid in the face of danger,—this was specially so during the slavery struggle when many newspapers hesitated to take a decided stand on the question. But the public becomes at these times of crises over-sensitive to criticism, and it is therefore unduly suspicious. Authority also becomes over-suspicious of criticism, and thus prosecutions for libel increase in number.

In the case of libel laws, as in other forms of restrictions on the press, the tendency has been to enforce them with rigor against the more defenceless or the more unpopular representatives of the press, rather than against those in high station.[19] William Hone was indicted in 1817 for seditious and blasphemous libels,—the alleged libels being parodies on the catechism, the litany, and the Athanasian creed. Three different trials followed in all of which Hone conducted his own defence.[20] It was the first time the author of a parody had ever been prosecuted and Hone enumerated many instances where men prominent in the Church, like Luther and Bishop Latimer, had written parodies with impunity. Not less immune from punishment had been high officials in the State,[21] like Canning, whose "Praise Lepaux" had received from the *Anti-Jacobin* the comment "We heartily wish this, and every work of a similar kind, a full and happy success."[22] In all of the three trials of Hone the jury rendered a verdict of "not guilty" and the failure of the prosecution led to the resignation of Lord Ellenborough, before whom the last trial had been conducted.[23]

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[17] C. G. Robertson, *Select Statutes*, p. 407.

The editor's comment is that "Chief Justice Holt's charge to the jury has a historic and constitutional interest as showing the interpretation of the law of libel by a judge whose defence of popular liberties in *Ashby v. White* proved his courage and independence."

[18] Cited by H. L. Hunt, *Report of the Cause of the King v. John Hunt*, p. vii.

[19] An apparent exception was the trial of the seven bishops for libel in 1688. The bishops, however, while brought to trial, were acquitted.—T. B. Macaulay, *History of England*, III, 209–264.

C. E. Grinnell finds it significant that the *Gazette* did not mention either the trial or the acquittal.—"Modern Murder Trials and Newspapers," *Atlantic Monthly*, November, 1901, 88: 662–673.

[20] *The Three Trials of William Hone.* 1818; G. Wallas, *Life of Francis Place, passim.*

[21] Hone might have added the case of Franklin whose "Proposed New Version of the Bible," satirizing the French Court had brought amusement to its readers rather than punishment to its author.—*Works of Benjamin Franklin*, edited by John Bigelow, VI, 286–287.

[22] *The Anti-Jacobin*, July, 1798, 1: 115–116; F. J. Hill, "The Anti-Jacobin," *George Canning*, pp. 60–68.

[23] The day following the last acquittal of Hone, Lord Ellenborough sent Lord Sidmouth the draft of his letter of resignation stating that "the disgraceful events which have occurred at Guildhall within the last three or four days" have led him to question whether his health and strength were sufficient for discharging his official duties.—G. Pellew, *The Life and Correspondence of the Rt. Hon. Henry Addington, First Viscount Sidmouth*, III, 236.

The three trials were on December 18, 19, 20, 1817. The depression of Lord Ellenborough in regard to "the disgraceful events," was not shared by all of his fellow citizens. Many of them met December 29th at the City of London Tavern "for the purpose of enabling William Hone to surmount the difficulties in which he has been placed by being selected by the ministers of the Crown as the object of their persecution."—Title page of *Proceedings* of the meeting which was presided over by Robert Waithman, later Lord Mayor of London, and Member of Parliament. The reading of the resolutions in support of Hone was moved by Sir Francis Burdett who for nearly thirty years represented Westminster in the House of Commons.

T. J. Wooler had a jubilant editorial on "Mr. Hone's Acquittals," and another on the "Triumph of Mr. Hone—Meeting at the London Tavern."—*The Black Dwarf*, I, No. 48, December 24, 1817, I, No. 49, December 31, 1817.

A full history of the trials is given by F. W. Hackwood, *William Hone*, pp. 118–188.

The tendency towards judging of the merits of a case of libel on the basis of social stratification has been apparent in historians as well as in members of high courts of justice. Richard Carlile, whom even his warmest admirers found often lacking in his personal relationships with his friends and "most unjust to his most important and devoted allies," [24] has been numbered among those most conspicuously successful in his efforts in behalf of a free press. Yet he has been spoken of as "the wretched man Carlile," and when he was imprisoned for a libellous letter in the *Republican*, his sister and one hundred other persons were "prepared to lay down their liberty in assertion of the 'right' of publishing this vile and mischievous trash. For vile and mischievous trash it most assuredly was and it was a heresy against the noble principles of liberty of mind and speech to evoke their sacred names in its defense." [25] These principles were evoked by members of the humbler class in England,—a fact that did not necessarily militate against their justice. It was Francis Place who noted the "shocking sentence just passed on Carlile," and elsewhere that "Carlile received the savage sentence of two years' imprisonment and a heavy fine." [26]

Jeremy Bentham, in a series of penetrating but detached observations on the liberty of the press as affected by the law of libel,[27] spoke of confounding the demand for punishment with the demand for disapprobation; assuming that the one being established, the other followed as a matter of course. "Under the libel law *as it is*," he writes, "*prosecution* and *conviction* are the same thing: and that, when a political libel is the offence, the *form* of *jury trial* is but a melancholy farce." He then states, with obviously great relish, the rules that apparently govern all questions of libel. A general preamble is that a written and published discourse is a *libel* and every one connected with it is punishable if any passage *tends* to expose the government to disesteem. The rules therefore are: "Punish whatever tends to bring a man in power into '*disesteem*'"; "Punish whatever imputes unfitness to any man in office"; "*Punish whatever hurts* anybody's feelings"; and fourth, "Punish whatever you dislike," and under this are to be included, "want of fairness, want of liberality, flippancy, deviation of decency, unbecomingness, impropriety, slanderousness, ill-nature, want of candour, tendency to ridicule, contradictoriness."

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[24] G. J. Holyoake, *Life and Character of Richard Carlile*, Chapter IV—Carlile's daughter says that "Carlile often wished that Holyoake had been his son, and Holyoake as often wished, too, that he had been."—T. C. Campbell, *The Battle of the Press*, p. 257.

[25] A. Andrews, *History of British Journalism*, II, 102.

[26] G. Wallas, *Francis Place*, pp. 147, 255.

[27] J. Bentham, "The Element of the Art of Packing, as applied to Special Juries, particularly in Cases of Libel Law," 1821, *Works*, V, 61–186.

The satire of Bentham on the principles governing trials for libel was evidently called forth by the conditions, as he interpreted them, that prevailed in the trial of William Cobbett on an *ex officio* information filed by the Attorney-General when Lord Ellenborough, the chief justice, presided. It is easy to imagine that the satire coming from a person of less exalted social station than was Bentham's would in turn have subjected its author to prosecution at the hands of the law.

Difficult as it still is to determine the nature of libel beyond peradventure of a doubt, some progress towards a more satisfactory definition has at least been made. At one time, the controversy concerning libel was waged over the question whether the statement made by the alleged libeller was true or not,—if it was true, "the greater the truth, the greater the libel."

At other times the point at issue has been whether the judge or the jury was to be the judge of the facts in the case. But the rulings of courts that it was the province of judges alone to determine the criminality of a libel was overturned by Fox's libel act in 1792. In the first three trials for libel brought against John and Leigh Hunt because of comments in *The Examiner* on the prevailing political abuses and corruption,[28] the two brothers profited by this law and the suits brought against them were unsuccessful. The fourth suit, however, was caused by an attack on the Prince Regent and this led to their conviction. "This article," says Leigh Hunt, "no doubt was very bitter and contemptuous; and therefore in the legal sense of the term, very libellous; and the more so, inasmuch as it was very true."[29] William Hone's acquittal was undoubtedly due to sympathetic juries who decided that while the facts charged against him were true, they were not in themselves libellous. But the trial of Joseph Russell in 1819, for libel in publishing Hone's Parody on the Litany resulted in a verdict of guilty,[30]—such have been the inconsistencies of the juries in dealing with libel.

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[28] A comment of *The Examiner's* on the general subject is worthy repeating, paralleling as it does the definition attributed to Bentham that "libel is anything which anybody at any time for any reason may be pleased to dislike."

It runs: "The licentiousness of the press is a term of the very widest range, including as it does everything that is offensive to anybody. The Liberty of the Press, on the other hand, seems to come under the mathematical definition of a point; it has neither length, breadth, nor thickness. It is a name representing an impossibility,—a publication useful to the world and offensive to nobody."—Cited from *The Examiner*, I, 92–93, by D. M. Ford, "Growth of the Freedom of the Press," *English Historical Review*, January, 1889, 4:1–12.—This article gives an admirable summary of the legal and the judicial aspects of the press down to 1888.

In the trial of William Lovett for seditious libel, it was almost a foregone conclusion that the jury, "after conferring for two or three minutes together," should bring in a verdict of guilty since Mr. Justice Littledale had charged them "that the question for the jury to decide was, whether in their opinion the placard, for the publication of which the defendant stood indicted, was published by him; and secondly, whether it was of a libellous and seditious character. They were the sole judges of the intent, and they would have to say whether its tendency was to excite discontent and public tumults, and whether such was the defendant's intention, and if so, they would find the defendant guilty."[31]

It was evidently hard for courts to abandon their prerogatives,—the charge to the jury in the trial of William Lovett was at one with that of Lord Ellenborough when he addressed the jury in the case of John Peltier, charged with libel against Napoleon. "I lay it down as law," he had said in 1803, "that any publication which tends to degrade, revile, and defame persons in considerable situations of power and dignity in foreign countries may be taken to be and treated as a libel, and particularly where it had a tendency to interrupt the amity and peace between two countries." [32]

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[29] The article appeared in *The Examiner*, March 22, 1812, and was entitled "The Prince on St. Patrick's Day." It is given in full in Leigh Hunt's *Autobiography*, I, 273–280.—The author jestingly adds, "The general impression was, and is, that we were sent to prison, because we said the Prince Regent was fat."—*Ib.*, I, 282.

[30] A complete account of his trial was immediately published by the defendant who announced that it was "sold by most other booksellers,"—an interesting side light on advertising at that time, as well as a defiance of the libel law.

[31] *The Trial of William Lovett*, p. 19; *Life and Struggles of William Lovett*, Chapters XI–XII. The "placard" was a series of three resolutions, written by Lovett as Secretary of the General Convention of the Industrious Classes that met in Birmingham in 1839; they were a protest against what the Convention deemed uncalled-for action and unjustifiable severity in breaking up a mass meeting held in Birmingham in favor of the People's Charter; and they were posted about the town.

The situation at this time well illustrates the truth recently stated by an able writer when he says, "The eternal question is not who is to judge of the criminality of our utterance, but what is the test of its criminality." [33] It also well illustrates the inborn conviction of Lord Ellenborough and others that social and political stratification demands that justice be meted out to each class in kind.

The question of what is a privileged statement and who is entitled to privilege under it has been a mooted one. In 1868, the London *Times* was sued for libel because it had published the report of a debate in the House of Lords in the course of which statements had been made affecting the character of the plaintiff. The statements made in the debate were privileged, but the claim was made that privilege did not extend to a report not published under the authority of Parliament. The court, however, ruled in favor of *The Times*.[34]

Somewhat similar questions of privilege have come up elsewhere. In Germany, it has recently been held that the truthfulness of a news item has not prevented its being a libel, if it reflected on the behavior of any person or group. This had led to strange inconsistencies, as where an editor was punished for publishing a statement concerning a hospital, although it had first been made in a public medical meeting. "The law guaranteed to the physician the right of criticism but denied to the editor the right of publicity." At times an editor may be forced by the threat of a libel suit to retract a statement although the retraction may be virtually a falsehood.[35]

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[32] *The Trial of John Peltier*, edition of 1803, p. 204.

[33] Z. Chafee, Jr., "Freedom of Speech in War Time," *Harvard Law Review*, June, 1919, 32: 932–973.

[34] C. G. Robertson, *Select Statutes Cases and Documents*, 2nd ed., pp. 540–549.

"The most formidable action for libel that ever newspaper had to encounter," so termed by a learned historian of the British press, involved a somewhat similar principle. The London *Times* had disclosed a confederacy of forgers formed to plunder continental bankers by means of forged letters of credit. *The Times* was in consequence sued for libel, for "in those days, the charge, although true, was still a libel," and a technical verdict was therefore returned for the plaintiff. Since, however, the damages were fixed at one farthing, the verdict was really one for *The Times*.[36]

Under the libel laws of England, the English press was long subject to endless petty persecutions and the list of writers subjected to frequent punishments for libel, especially from the time of Queen Anne, reads like the roll call of eminent English authors,—"Defoe, Steele, Drake, Binckes, Tutchin, Sacheverell, Asgill and a crowd of obscure printers," so they are listed by Lecky.[37] The founders of America, writes a legal authority, "had seen seventy English prosecutions for libel since 1760, and fifty convictions under that common-law rule, which made conviction easy."[38] The prosecutions of the late eighteenth century and early nineteenth century had included the names of Wilkes, "Junius," Woodfall, Cobbett, John and Leigh Hunt, Hone, Carlile, and a host of names of less well-known editors, contributors, publishers, and printers. The net result of these and other prosecutions had been, as far as they concerned the press, to secure for the press the right to criticize an executive officer, as seen in the case of John Peter Zenger, in New York; to criticise a legislative body and its administrative agents, as determined by the public career of John Wilkes; to write, print, and publish political criticism, as indicated in the controversy over the Letters of Junius; to indulge in pleasantry at the expense of high officials, as proved by the failure to convict William Hone; to protest against new bills "abrogating the remaining liberties of Britain,"—including "an act for the more effectual prevention and punishment of blasphemous and seditious libel," as seen in the case of T. J. Wooler and *The Black Dwarf;*[39] to establish the right to publish articles on religion not in conformity with the tenets of the Established Church, as in the case of Richard Carlile;—all of this has meant progress, slow though it had seemed at short range. It had been progress in the direction of genuine freedom of the press since all of the prosecutions for libel had been instigated by authority through the desire to maintain its own prestige and to avert the threatening rise of democracy.[40]

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[35] R. H. Fife, Jr., "The Press," *The German Empire Between Two Wars*, pp. 334–385.

[36] A. Andrews, *History of British Journalism*, II, 250–254.

A tablet commemorating the service thus rendered the merchants of London was placed by them over the northern door in the quadrangle of *The Times* office.—S. V. Makower, *Some Notes on The Times*, pp. 18–19; A. I. Shand, "The Centenary of the Times," *National Review*, February, 1888; 10:841–856.

[37] W. E. H. Lecky, *England in the Eighteenth Century*, I, 372.

[38] Z. Chafee, Jr., "Freedom of Speech in War Time," *Harvard Law Review*, June, 1919, 32:932–973.

Church and State have practically ceased prosecution for blasphemous, seditious, and criminal libel. But the shadow of civil libel seems an ever deepening one. There has been "no

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[39] *The Black Dwarf*, January 5, 1820, gives the text and an analysis of these bills.

The case of Wooler is specially interesting as his first prosecution for libel was for "a particularly pungent attack on the Ministry," in *The Black Dwarf*, No. 10, April 2, 1817. He was acquitted on both counts after he had conducted his own defense,—a policy that a few months later F. W. Hackwood believes "may have inspired Hone to undertake his own defence."—*William Hone*, p. 138.

The dedication of *The Black Dwarf*, vol. I, is particularly significant as showing the spirit of the opponents of the libel laws towards those in authority. It reads:

Dedication

"To the Prince Regent, HOPING that he will awake to a full knowlege of Himself, his Ministers, and his People, before it be too late:—

"To the Ministry, TRUSTING that a grateful people may ultimately appreciate, and properly reward the merits of all who compose it:

"To the Judges, AS a proof that even Judges may be mistaken:—

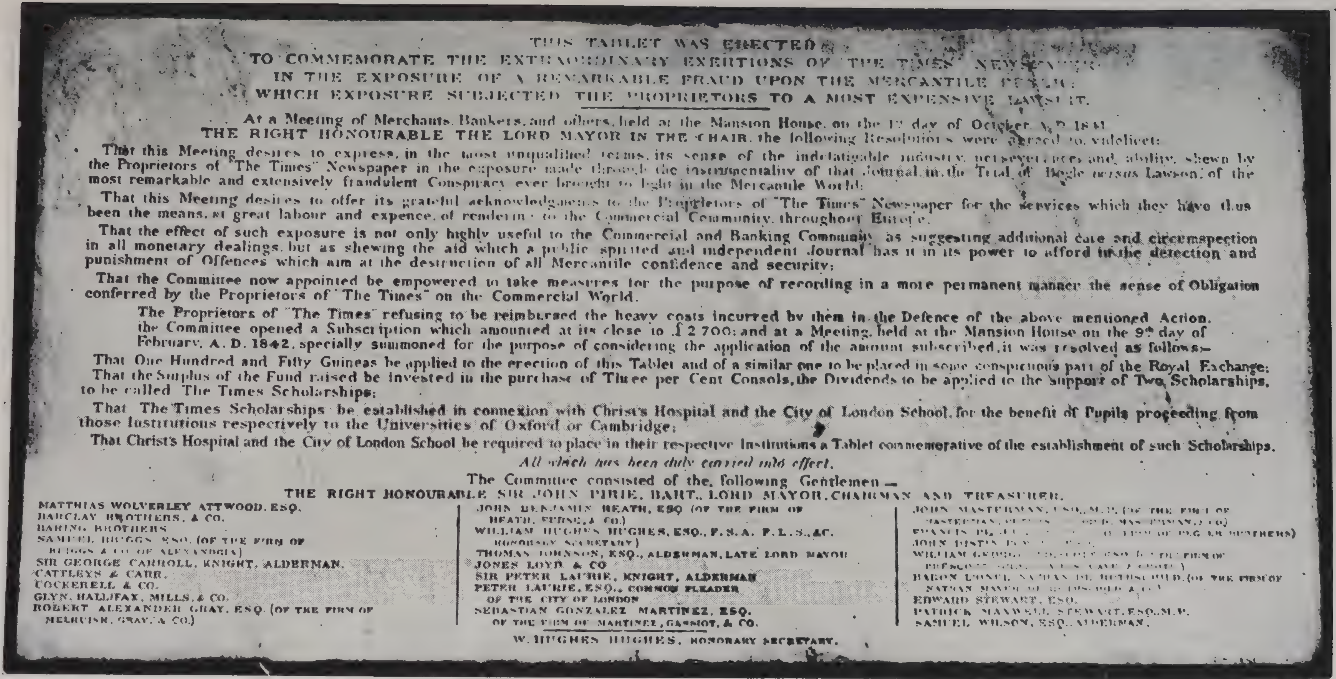
"To the Attorney General, AS a record of his benevolent intentions, and the advantage of his persecution:—

"And to William Cobbett, Esq., AS a warning against precipitate conduct, and rash prediction: and in evidence that the Liberty of the Press is not entirely destroyed in England:—

"These papers are dedicated,

by T. J. Wooler."

[40] Important reports on the subject of libel have been made by the English Parliament in an effort to determine its nature and the penalties that should follow conviction. The *Report from the Select Committee appointed to consider the Law of Defamation and Libel*, 1843, and the *Report from the Select Committee on the Law of Libel*, 1879, are especially noteworthy.



THIS TABLET WAS ERECTED
TO COMMEMORATE THE EXTRAORDINARY EXERTIONS OF "THE TIMES" NEWSPAPER
IN THE EXPOSURE OF A REMARKABLE FRAUD UPON THE MERCANTILE PUBLIC:
WHICH EXPOSURE SUBJECTED THE PROPRIETORS TO A MOST EXPENSIVE LAWSUIT.

At a Meeting of Merchants, Bankers, and others, held at the Mansion House, on the 1st day of October, A.D. 1841
THE RIGHT HONOURABLE THE LORD MAYOR IN THE CHAIR, the following Resolutions were agreed to, videlicet:

That this Meeting desires to express, in the most unqualified terms, its sense of the indefatigable industry, perseverance and ability, shewn by the Proprietors of "The Times" Newspaper in the exposure made through the instrumentality of that Journal, in the Trial of Bogle *versus* Lawson, of the most remarkable and extensively fraudulent Conspiracy ever brought to light in the Mercantile World:

That this Meeting desires to offer its grateful acknowledgments to the Proprietors of "The Times" Newspaper for the services which they have thus been the means, at great labour and expence, of rendering to the Commercial Community throughout Europe.

That the effect of such exposure is not only highly useful to the Commercial and Banking Community, as suggesting additional care and circumspection in all monetary dealings, but as shewing the aid which a public spirited and independent Journal has it in its power to afford in the detection and punishment of Offences which aim at the destruction of all Mercantile confidence and security:

That the Committee now appointed be empowered to take measures for the purpose of recording in a more permanent manner the sense of Obligation conferred by the Proprietors of "The Times" on the Commercial World.

The Proprietors of "The Times" refusing to be reimbursed the heavy costs incurred by them in the Defence of the above mentioned Action, the Committee opened a Subscription which amounted at its close to £2700; and at a Meeting, held at the Mansion House on the 9th day of February, A. D. 1842, specially summoned for the purpose of considering the application of the amount subscribed, it was resolved as follows:—

That One Hundred and Fifty Guineas be applied to the erection of this Tablet and of a similar one to be placed in some conspicuous part of the Royal Exchange;

That the Surplus of the Fund raised be invested in the purchase of Three per Cent Consols, the Dividends to be applied to the support of Two Scholarships, to be called "The Times Scholarships;"

That "The Times Scholarships" be established in connexion with Christ's Hospital and the City of London School, for the benefit of Pupils proceeding from those Institutions respectively to the Universities of Oxford or Cambridge;

That Christ's Hospital and the City of London School be required to place in their respective Institutions a Tablet commemorative of the establishment of such Scholarships.

All which has been duly carried into effect.

The Committee consisted of the following Gentlemen—
THE RIGHT HONOURABLE SIR JOHN PIRIE, BART., LORD MAYOR, CHAIRMAN AND TREASURER.

MATTHIAS WOLVERLEY ATTWOOD, ESQ.
BARCLAY BROTHERS, & CO.
BARING, BROTHERS
SAMUEL BRIGGS, ESQ. (OF THE FIRM OF BRIGGS & CO. OF ALEXANDRIA)
SIR GEORGE CARROLL, KNIGHT, ALDERMAN,
CATTLEYS & CARR,
COCKERELL & CO.
GLYN, HALLIFAX, MILLS, & CO.
ROBERT ALEXANDER GRAY, ESQ. (OF THE FIRM OF MELRUISH, GRAY, & CO.)

JOHN BENJAMIN HEATH, ESQ (OF THE FIRM OF HEATH, FURSE, & CO.)
WILLIAM HUGHES HUGHES, ESQ., F.S.A. F.L.S., &C. (HONORARY SECRETARY)
THOMAS JOHNSON, ESQ., ALDERMAN, LATE LORD MAYOR
JONES LOYD & CO
SIR PETER LAURIE, KNIGHT, ALDERMAN
PETER LAURIE, ESQ., COMMON PLEADER OF THE CITY OF LONDON
SEBASTIAN GONZALEZ MARTINEZ, ESQ. OF THE FIRM OF MARTINEZ, GASSIOT, & CO.

JOHN MASTERMAN, ESQ., M.P. (OF THE FIRM OF MASTERMAN, [illegible] MASTERMAN, & CO.)
FRANCIS [illegible] ([illegible] FIRM OF [illegible] BROTHERS)
JOHN DISTIN [illegible]
WILLIAM GEORGE [illegible] ESQ. ([illegible] FIRM OF PRESCOTT, [illegible] CAVE & GROTE)
BARON LIONEL NATHAN DE ROTHSCHILD, (OF THE FIRM OF NATHAN MAYER DE ROTHSCHILD & CO.)
EDWARD STEWART, ESQ.
PATRICK MAXWELL STEWART, ESQ., M.P.
SAMUEL WILSON, ESQ., ALDERMAN,

W. HUGHES HUGHES, HONORARY SECRETARY.

Tablet Commemorating the Services Rendered by *The Times* to the Merchants of London in a Libel Suit Brought Against It by a Confederacy of Forgers

precedent in American law for a civil suit for libel against a municipality," yet the City of Chicago has recently brought suit against various newspapers and their editors, demanding damages from the Chicago *Tribune* in the sum of ten million dollars, and more modest amounts in the case of other defendants. The question at issue was whether the press had the right to criticise adversely the government of the city. Happily for the cause of freedom of the press, the Circuit Court decided the case in favor of the *Tribune*.[41]

The suits brought against newspapers by private individuals have had every conceivable ostensible excuse. They have included, as noted in the daily press, personal reflections, ridicule, injury to business, false accusations, cowardice, disloyalty, immorality, race issue, pacificism, lack of patriotism, forgery, quackery and fraud, exposure of "fake" advertising; being an attorney for swindlers, a traitor, or a "slacker"; pro-Germanism, giving aid and comfort to the enemy, adverse criticism of a book,—these are but a few of the almost indefinite number of grounds on which persons have deemed themselves injured by the press and on which they have brought libel suits.

These suits have had, presumably at least, some basis for action, for danger lurks in headline, in editorial, in advertisement, in news columns,—every newspaper, it has been said, contains material for a score of libels, and this in spite of the most extreme care to avoid all libellous matter.[42] But "eight out of ten, of the

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[41] *Freedom of the Press* and *What the Press Said*,—two pamphlets issued by the Chicago *Tribune*, December, 1921.

The City of Chicago, in the person of Mayor Thompson, did not accept the verdict of the Circuit Court and appealed from its decision to the Supreme Court of Illinois. This Court, April 18, 1923, affirmed the decision on the ground it is "the fundamental principle of the American Government that every citizen has a right to criticise the Government and its administration so long as they do not advocate overthrow of the existing Government or violation of the law." This decision disposed of the case against the Chicago *Tribune*, and a similar suit against the Chicago *Daily News* was later dismissed.—Daily press, April 19—May 3, 1923.

[42] "It is through the miscellaneous matter of the sub-editorial columns, arranged to suit each issue's particular make-up, that libel for the most part finds its way into print."—T. H. S. Escott, *Masters of English Journalism*, p. 340.

"It is strictly true that no issue of the daily newspaper of the day can be free from a greater or less number of libel *per se*, that is to say, actionable publications, and still publish the current news of the day."—S. N. D. North, actions for libel against newspapers, are purely speculative actions which are brought by persons who have no real grievance, and no means of paying costs if they lose, simply in the hope of extorting a compromise. . . . No amount of care can be an effectual safeguard against such actions."[43] The result is that "speculating in damages has become almost a profession."

Libel suits may be brought through political enmity, as was the case with Joseph Howe. As sole owner of the *Nova Scotian*, he became the defendant in a libel suit through the publication of a letter alleged to injure the magistrates in the town of Halifax. The town was not incorporated and misgovernment was charged. The exposure through the *Nova Scotian* of mis-management on the part of the magistrates led to the suit, but Joseph Howe was acquitted, the magistrates resigned, the city was incorporated, and responsible government introduced.[44]

Blackmail has often been the incentive to bring suit for libel. Henry Labouchere was a victim of many libel actions that ought never to have been brought against him because he exposed many business and personal swindles. "The impecunious blackmailer, the man who has been properly denounced in the press, is a person who can afford to take his chance of getting a verdict from such a tribunal [a jury]. He has nothing to lose."[45]

Professional rivalry explains other libel suits. Thomas Wakley founded *The Lancet* in 1823 at a time when the material difficulties in founding a new periodical were enormous, but the difficulties within the medical profession itself were even greater. He had found in the London hospitals instances of mal-practice;

"The Newspaper and Periodical Press," in Lalor's *Cyclopaedia of Political Science*, III, 311–326.

E. L. Shuman notes the special danger that headlines may be libellous, even when the report for which they are used may itself be privileged matter.—*Practical Journalism*, p. 233.

[43] Testimony of F. L. Soames, before the Parliamentary Committee of 1879, pp. 76–80.

[44] *Speeches and Public Letters of the Hon. Joseph Howe*, edited by William Annand, I, 11–82.

[45] See R. Bennett, "Mr. Labouchere as a Journalist," in A. L. Thorold, *Life of Henry Labouchere*, pp. 497–502.

The ease with which blackmailing libel actions can be brought against newspapers was the subject of an address by Lord Mersey at one of the annual dinners of the London Newspaper Society.—London *Standard*, cited by New York *Times*, June 5, 1910.

of nepotism in filling vacancies; of special privileges shown London surgeons over those from other places; of opposition to reporting lectures in medical schools and operations in hospitals; of professional rivalry at the expense of the public good. *The Lancet* claimed the right to expose abuses and to publish reports of hospital lectures, and it thus became a frequent defendant in actions for libel.[46]

Adverse literary criticism has been a reason for bringing libel suits. In 1808, Sir John Carr, "a gentleman of liberal education," brought suit against Messrs. Hood and Sharpe, "very opulent booksellers," for publishing a work that he charged would ruin him as an author. The trial in effect involved the principle of the right of reviewers, "whenever a book is introduced into the world," to give "their sentiments on the merits and demerits of such a book," and "under the mask of criticism" to attack the character of an author "with a view to ruin it." The decision sustained the right of the reviewer to give adverse criticism.[47]

The same question has recently arisen in France where it has been a by-product of legislation that has sought to control the sensational press. If a citizen's actions, opinion, and personality are made the subject of comment in a newspaper, "he has the right to submit an article embodying his own version of what happened, his views stated in his own terms, and his resentment of personal references; and he may command free publication of it to the extent of double the space of the offending article . . . in addition he is entitled to the same type for headlines and text, and the same place in the newspaper in which the original article appeared." When a newspaper refuses to comply with the terms of the law, the courts will enforce damages. Lieutenant Dreyfus, in December, 1911, was awarded twenty-five hundred francs damages against a Paris newspaper that refused to print his reply to offensive statements it had made.[48]

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[46] S. S. Sprigge, *The Life and Times of Thomas Wakley*.—What was accomplished by *The Lancet* during forty years of effort, in spite of the efforts to crush it, is stated, p. 439.

A full account of the trial of the case of Cooper *vs.* Wakley, the most important of these libel suits, is given by J. F. Clarke in *Autobiographical Recollections of the Medical Profession*, pp. 26–71.

[47] *Report of the Above Case.* London, 1808.

[48] "A Curb for the Sensational Press," *Century*, February, 1912, n. s. 61: 631–633.

An appeal to this law was made when two translators of Aeschylus' *The Persians* sought to compel M. Doumic to print in the *Revue des Deux Mondes* their reply to a criticism he had written of the play as produced at the Comédie Française.[49] This he refused to do, in the interests of freedom of literary criticism, "but the court held that the law, which was designed to protect against libel, made no exceptions." [50]

Special individuals have sometimes seemed to be singled out by their adversaries as shining marks for attacks by libels. William Cobbett was always a storm center and libel suits of practically every species were threatened or brought against him both in England and in America. He was prosecuted by the Government for articles on military flogging, indicted for seditious libel, prosecuted for civil libel by former associates, convicted of libel against Dr. Benjamin Rush, and indicted for defaming the King of Spain,—the exceptionally large number of libel suits brought against him by Government and by individuals are indicative of the difficulties that restless, not too scrupulous, spirits like Cobbett encountered in attempting to change the *status quo*.[51]

Horace Greeley in speaking of libels said he could "hardly remember the time when [he] was absolutely exempt from these infestations,"—most of them the petty, nagging libels that could scarcely be said to illustrate any principles whatsoever.[52]

Certain journals of strong individuality, have often been conspicuous defendants in libel suits brought against them for their exposure of discreditable methods of business and of fraudulent advertising.[53]

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[49] The criticism of M. Doumic was published in the *Revue des Deux Mondes*, June 15, 1921, 6. Période, 51: 939–944.

[50] New York *Tribune*, February 16, 1921; *New York Evening Post*, March 11, 1921.

[51] E. I. Carlyle, *William Cobbett;* L. Melville, *Life and Letters of William Cobbett*, 2 vols.

H. C. Lodge reminds both critics and defenders of Cobbett that "mobs and libel suits were then the recognized method of meeting political attacks in the press."—"William Cobbett," *Studies in History*, pp. 110–131.

[52] Horace Greeley, *Recollections of a Busy Life*, p. 260.

[53] *Collier's Weekly* won nearly all of the suits, others were settled out of court; in one case a verdict for $50,000 was awarded.—New York *Times*, November 9, 1918.

The suits brought by large department stores against the *Tribune* were decided in its favor.—The *Tribune*, February 19, 1916—November 10, 1916.

Certain persons have also been conspicuous for their penchant for bringing libel suits,—notably James Fenimore Cooper. His war with the press grew in part out of his criticisms of America and in part out of a local controversy over Three Mile Point,—land owned by Cooper, used as a picnic ground by the citizens, and the privilege of so doing withdrawn after his return from Europe. A Whig newspaper in the vicinity attacked Cooper on both scores, and the libel war was on. It covered the papers of the State, particularly the Whig journals, and "by the end of 1843, Cooper had pretty well reduced the press to silence, so far as comments on his character were concerned." [54] In the beginning these libel suits were in a sense accidental, but as time went on, the prosecution of them, says his biographer, assumed to Cooper the shape of a duty. The question as to the value of this prosecution through libel has been best answered by Lounsbury: "It is an idle claim that the character of the press has been elevated by libel suits that Cooper or any one else has ever brought. Such prosecutions may be both justifiable and necessary; but the agencies that form and build up intelligence and taste and high principle are not of this negative and restraining character." [55]

The verdict of the press itself in regard to the value of libel laws in promoting the authoritativeness of the press has not been entirely unanimous. To W. J. Fox it seemed that "the anonymous newspaper-writer, sheltered by the monopoly interest of which he is the agent, is almost the only person ever speaking to the public through the press who is not under the power of this capricious and often cruel despotism [the law of libel]." But he found a partial explanation in the indefiniteness of libel,—"our law of libel, as it is called, has no definition; nobody can say what does or does not constitute a crime."[56] Some have found, as did William Tinsley, that "as a rule, even a vicious and wholesale libel is almost harmless until it gets into a court of law, and then it is, as a rule, sown broadcast, and mostly grows rank and mischievous in the extreme."[57]

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[54] T. R. Lounsbury, *James Fenimore Cooper*, p. 197.

[55] *Ib.*, p. 199.—The whole subject is discussed in Chapter IX, pp. 171–199.

Cooper's war with the press is the main theme in Horace Greeley's chapter on "Libels and Libel-Suits," *Recollections of a Busy Life*, pp. 260–267.

Much information concerning these libel suits and Cooper's point of view in regard to them is given in the second volume of *Correspondence of James Fenimore-Cooper*, edited by his grandson, James Fenimore Cooper. 2 vols. 1922.

Goldwin Smith found libel "an awkward remedy," although his own special indignation had been roused not so much by the direct libels of the newspaper press as by the identification of himself, through Lord Rowton, Disraeli's literary executor, with "the Oxford Professor" in Disraeli's *Lothair*.[58] "The journalist's court of honor must be in his own breast," so he wrote the President of the Canadian Press Club.[59] This also was the opinion of G. C. Eggleston expressed in writing of a case where the plaintiff had won his suit against a newspaper. He had been accused by it of complicity in the forgery of the notorious Morey letter intended to defeat the election of Mr. Garfield to the presidency, and the author says: "There are cases, of course, in which newspapers of the baser sort do wantonly assail reputation and should be made to smart for the wrong done. But these cases are rare. . . . Every newspaper writer knows that there is no surer way of losing his employment and with it his chance of securing another than by falsifying in his reports."[60]

But Whitelaw Reid believed that libel laws ought not to be regarded as laws for the persecution of the press but as "among the most valuable agencies for its protection," and he continued, "I, for one, rejoice in the institution of every libel suit for which there is the color of justification; and count every fair conviction for libel a gain to the cause of decent journalism." [61] This opinion, it is well to note, was expressed subsequently to his own vexatious experience with libel suits brought against him by Boss Shepherd of Washington on frivolous pretexts with the express purpose of annoying him.[62]

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[56] W. J. Fox, "The Morality of the Press," *Finsbury Lectures*, Number VI, *Collected Works*, VII, 137–164.

[57] William Tinsley, *Random Recollections*, I, 159.

He cites what he considered the cruel case of action for libel brought by G. A. Sala against Hain Friswell. Sala received £500 damages "and then the actual force of the libel began." The journal in which the libel appeared was dead and forgotten and the volume in which it had been reprinted would have had a limited sale, "but the moment the case was tried at Guildhall, it became the common property of every reporter and newspaper in the world, and who knows how many readers believed Sala or Friswell?"—I, 158–159.

[58] In a letter to *The Nation* he wrote: "The practice of libelling under color of fiction surely is cowardly and mean. It may lend impunity to the vilest slander. Generally recognized as the allusion may be, the person traduced, if a pseudonym is used, cannot right himself without seeming to put the cap on his own head."—*The Nation*, April 20, 1905, 80: 310.

He refers to the same subject in a letter to Herbert Paul, *A Selection from Goldwin Smith's Correspondence* collected by A. Haultain, pp. 438–439.

[59] *Correspondence*, pp. 418–421.

[60] G. C. Eggleston, *Recollections of a Varied Life*, pp. 121–123.

The needless expense entailed by the costs of libel suits is a subsidiary but by no means negligible reason for opposition to them. Any irresponsible person can put a newspaper to the expense of a libel suit. The Philadelphia *Times* said that during its first thirteen years it spent more than twenty thousand dollars in defending libel suits, although the verdict in every case was for the paper.[63] Under the libel laws of England a century and more ago the English press was subject to endless petty persecutions,[64] and to-day, in the opinion of an eminent press correspondent, "in Britain, the law of libel is administered in a manner generally hostile to the newspapers. If a man says he is slandered, juries usually agree that the benefit of the doubt should be given him, and the newspaper, guilty or innocent, is penalized in costs or damages or both, as a warning not to slander any one else." [65]

A variant of these libel laws is the unusual theory in regard to the nature of libel still held in Louisiana. Circulation is here held to be the equivalent of publication and that therefore every copy of a newspaper in which the alleged libel is printed is a separate publication of the libel, and if criminal libel is charged, it is a distinct and separate offense, subject to prosecution and punishment in every place where it circulates.[66] While at one time the object of bringing a libel suit was to secure justification and the libeller, if convicted, was punished by fine and imprisonment, this object has yielded to a desire on the part of the plaintiff to recover damages,—thus libel suits may, if successful, become a profitable occupation.[67]

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[61] Whitelaw Reid, "Journalism as a Career," *American and English Studies*, II, 193–227.

[62] R. Cortissoz, *Life of Whitelaw Reid*, I, 316–317.

[63] S. Merrill, *Newspaper Libel*, pp. 31–32.

F. L. Soames, who had been for ten years solicitor to *The Times*, testified before the Select Committee on the Law of Libel, that during the nine years, commencing with 1872, twenty-one actions for libel had been brought against *The Times*. The cost of defending these actions had been from £3,000 to £3,500, although eighteen out of the twenty-one had been "perfectly useless, and in nearly all cases, vexatious actions."—*Report of the Select Committee on the Law of Libel*, 1879, pp. 76–80.

[64] J. Amphlett, *The Newspaper Press in part of the last Century and up to 1860*.

[65] P. W. Wilson, "Reporting Parliament and Congress," *North American Review*, September, 1921, 214:326–333.

In times of political corruption, when much legislative crookedness is a matter of common knowledge, the press is often chided by the unthinking because it does not at once uncover the evil conditions. "They do not realize," says *The Nation*, "the hampering effects of the libel law which make it impossible for a journal to circulate a specific charge of this kind until its attorneys are satisfied that it has sufficient corroborative evidence to convince both judge and jury." [68]

It must be evident that it holds true concerning libel, as also concerning freedom of the press, that the emphasis in regard to it has varied not only at different times but also in different countries. On the European Continent, authority has controlled the press largely through censorship in all its forms, and it has, therefore, not been compelled to resort to prosecutions for libel to enforce its will. This statement, however, must be understood as a general one to which many exceptions are found. Libel laws on the continent are the bane of editors as they are elsewhere, but censorship, rather than libel, is there the stronger weapon relied on for controlling the press.[69] But in England and in America, where censorship has been a less congenial means for meeting an offensive situation, resort has been had to libel laws and to prosecutions under them, in order to keep the press in check. On the continent, control of the press has been expressed in terms of censorship; in England and in America, the correlating terms of freedom of the press and libel have been used with reference to the corresponding situation. Censorship practically compels passive acquiescence in the power of authority, while restrictions on freedom of the press in the form of libel laws and prosecutions under them, invite active protest against them.[70]

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[66] New York *Times*, January 6, 1917.

[67] In England, more than forty years ago, much was brought out concerning the liability of newspaper proprietors to speculative actions.—*Report of the Select Committee on the Law of Libel.* 1879.

[68] "The Press and Political Corruption," *The Nation*, November 4, 1915, 101: 535.

[69] On libel in Germany, see R. H. Fife, Jr., "The Press," *The German Empire between two Wars*, pp. 334–385.

Thus the use that the historian makes of the newspaper press must ever be conditioned by his knowledge of its time and place, country and nationality, social and official affiliations. Libel laws and libel suits have from the beginning of the newspaper press run the entire gamut of these differing situations.

How far the press is to be serviceable to the historian depends in a measure on the character of the legislation concerning libel and on the degree of rigidity with which it is enforced. An American offiical complained in 1911 that the libel laws in America were more severe than those of England, but were not so well enforced,[71] as an English critic at the same time was reporting that "the law of libel seems to be as inefficient in America as it is over-efficient in England." [72] It must depend on who the prosecutor has been and on the reasons for bringing prosecutions for libel. The proportion of libels prosecuted by government is decreasing, while the proportion of prosecutions brought by private individuals is increasing. We have to-day nothing comparable to the conspicuous prosecutions brought by government in the eighteenth and nineteenth centuries as illustrated by the cases of Wilkes, Junius, Zenger, Hunt, Hone, Carlile, Lovett, and the almost countless persons involved with them and others in defiance of authority. A hundred years ago and less, suits brought by private individuals against newspapers to the number that to-day crowd court dockets would have been unthinkable.

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[70] W. Hunt gives an interesting account of libel suits brought against newspapers by J. C. Colledge, consul at Kertch, who secured heavy damages against them, and of an important meeting, at which A. Borthwick presided, of many representatives of the press to consider the unsatisfactory nature of the English libel laws.—*Then and Now, or Fifty Years of Newspaper Work*, pp. 191–193.

An account of the interest of Sir A. Borthwick (later Lord Glenesk) in the promotion of opposition to the libel laws then existing is given by R. Lucas, *Lord Glenesk and the "Morning Post,"* pp. 318–319.

[71] W. J. Gaynor, "Libel in England and America," *Century*, October, 1911, n. s. 60: 824–831.

[72] W. Archer, "The American Cheap Magazine," *Fortnightly Review*, May, 1910, n. s. 87: 921–932.

Thus while it is undoubtedly true that "the actual effects of the law of libel, notwithstanding the severity of interpretation common on the bench, are not such as to tempt to frequent resort to it, in the vindication of private character," and that "the pecuniary damage to the plaintiff's character is the matter in issue in all civil suits, and the latitude of cross-examination alllowed on this account involves an ordeal which few men care to encounter," it must also remain true that, in the words of a prominent journalist, "there are only two things feared by the press in America, a libel suit and contempt of court." [73]

The historian in his use of the newspaper must also understand the conditions that lie behind prosecutions for libel. In 1835, the Salem, Massachusetts, *Landmark* published a story entitled "Inquire at Amos Giles' Distillery." Its author was a young clergyman, George B. Cheever, who had been greatly concerned by the presence in Salem of four distilleries that annually produced six hundred thousand gallons of distilled liquor, as he had also been concerned by the knowledge that to the workhouse, a few minutes walk from his study, there were annually admitted three thousand persons and that the admission of twenty-nine hundred of these was due to excessive drinking. Roused by these conditions he wrote an allegory that centered around a distillery and its owner. Upon its publication "the public excitement was tremendous." One of the four distillers was singled out as answering most nearly to the description of "Amos Giles" and a suit for libel was brought against the clergyman. Although it is difficult to-day to find a single shred of evidence that could convict the author, at a time and in a community where every one believed that what was legally permitted must be respected, honored, and supported, conviction was a foregone conclusion. The author was found guilty of libel and condemned to thirty days' imprisonment.[74]

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[73] A recent important case in Birmingham, Alabama, involving contempt of court arose over a news item concerning the reputed record of a man charged with murder. The Birmingham *Post* stated that he had previously been indicted for two other offences by grand juries of the county. These indictments were part of the official record in the courts and were matters of common knowledge. The *Post* expressed no opinion as to the case, and its article was only a statement of an established fact, but the Court held that its publication was prejudicial to the defendant. He therefore gave three members of the staff of the *Post* the alternative of promising not to print again matter considered improper by the Court, or of going to jail for twenty-four hours. The men chose to go to jail and on their release published as an advertisement the sentence of the judge committing them for contempt of court.—Full accounts were published in the Birmingham papers, May 9–12, 1923 and the case attracted widespread interest.

The historian is again necessarily reminded of the belief sometimes held by officials that the king can do no wrong. In 1826, Luke E. Lawless, a Saint Louis lawyer, published in the Saint Louis *Inquirer* "a respectful criticism" of a decision rendered by Judge Peck that had been published in the *Missouri Republican*. In this "he pointed out what he deemed errors in the decision, but without impugning the motives of the judge." The judge, however, ordered both lawyer and editor into court and sentenced the lawyer to both fine and imprisonment, thereby combining "in his own person the offices of prosecutor, the grand jury, the petit jury, and the judge." The lawyer subsequently carried his case to Washington where articles impeaching Judge Peck were unanimously voted by the House Judiciary Committee and presented by the House by a vote of one hundred and twenty-three to forty-nine. In the Senate, acquittal was voted by a slender majority. James Buchanan in presenting the articles of impeachment maintained that the editor had an absolute right to discuss in print any opinion of any judge after the case had been concluded, "and to use any language he saw fit to use, subject to an action for libel and trial by a jury if his words were libellous." Senator McDuffie in supporting the charges maintained that "there was not a man that ought not to make the injury done to Luke E. Lawless his own." [75] *Niles' Register* lamented that the trial had been "tedious and expensive," but considered it "'necessary and proper' that it should have taken place. A violent outrage on private rights had been, apparently, committed by one whose first duty it was to have rendered justice." The conclusion of the whole matter, as it seemed to *Niles'* was that "we must think, that, when a judge publishes his opinion, it is a common property of the public, and subject to the 'freedom of the press.'"[76]

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[74] G. B. Cheever, *A Defense in Abatement of Judgment for an Alleged Libel*. N. Y., 1836.

[75] S. Merrill, *Newspaper Libel*, pp. 104–106; "The Peck Impeachment Case," *The Nation*, June 4, 1885, 40: 457–458.

The many complicated legal questions that have come up in regard to libel and to privileged statements must also be recognized by the historian. Albany Fonblanque reports the case of "a foreigner sentenced abroad to convict-labour for forgery, [who] indicted the proprietor of a newspaper for the publication of the fact in proof of unfitness for a place of trust, and the Jury, under the direction of the Judge, returned a verdict of Guilty."[77] In 1839 J. J. Stockdale brought suit for libel against Messrs. Hansard, the case growing out of a report of Parliamentary proceedings. The printers to the House of Commons were found guilty, but an Act of Parliament was quickly passed to the effect that when either House of Parliament had ordered a publication under its authority a person might procure a certificate and the court then stay proceedings.[78] But when in 1868 suit was brought against John Walter for having printed in *The Times* a report of proceedings in the House of Commons that the plaintiff considered libellous, it was argued that privilege did not extend to a report not published under the authority of Parliament. The defendant was acquitted on the ground that independently of the orders of the houses there was nothing unlawful in publishing reports of Parliamentary proceedings and that those publishing them were free from legal responsibility, even though the character of individuals might incidentally be injuriously affected.[79]

[76] *Niles' Register*, February 12, 1831, 39: 426–437.

A case somewhat similar had come up in 1800 when J. T. Callender had been tried for seditious libel in Richmond, Virginia, before Judge Chase. The judge permitted no discussion of the constitutionality of the law, maintaining that the only question for the jury to decide was whether the defendant had violated it. Callender was convicted, fined, imprisoned, and compelled to give sureties for good behavior for two years. Judge Chase was a few years later impeached "for oppressive and vexatious conduct during the trial and indecent solicitude for the conviction of the accused," but acquitted on the trial.—F. T. Hill, "The United States *vs.* Callender: A Fight for Freedom of the Press," *Decisive Battles of the Law*, pp. 1–26.

Little sympathy was felt for Callender who wrote equally well with both hands. Jefferson was at first his supporter but later threw him over. He gives a full account of his relations with Callender in letters to Monroe and to Mrs. Adams, *Writings*, ed. by P. L. Ford, VIII, 164–167; 308–310, Note.

[77] Albany Fonblanque, *England under Seven Administrations*, I, 102, Note.

[78] C. G. Robertson, *Select Statutes Cases and Documents*, pp. 524–533.

[79] *Ib.*, pp. 540–549.

The historian may well echo the words of Defoe written in 1721, "there is a manifest difference between the two Questions, namely, What is a Libel, and what a Libel is" and he may be unable to answer either question. But he finds in the enactment of libel laws and the fear of their enforcement a reasonable guarantee that the statements made by the press are within the bounds of truth.[80]

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[80] Here, as elsewhere, the strain of a difficult situation may be relieved by its humorous aspects. See R. S. Harvey, "The Law and Humor of Newspaper Libel," *Georgetown Law Journal*, November, 1921, 10:30–43.

CHAPTER XII

THE PRESS BUREAU, PUBLICITY, AND PROPAGANDA

"Il n'y a que deux puissances dans le monde: le sabre et l'esprit. J'entends par esprit les institutions civiles et religieuses. A la longue, le sabre est toujours battu par l'esprit."—*Napoleon.*

"The work of a press bureau is to control, inspire, corrupt, spy upon and intimidate the press and its representatives."—*H. W. Steed.*

"The Press in each country where it is at all up to date is in effect a grand auxiliary to the Secret Service Department of its own Government."—*H. Leach.*

"The real menace of propaganda is the discovery by governments and other interested agencies that this extension of advertising—for that is what propaganda essentially is—can be readily utilized to sway and control democratic masses. Hereafter no government will confront its electorate without a secret or open bureau of propaganda, and every great 'interest' will organize propaganda as an essential activity."—*R. Herrick.*

"Never before in history has the world been subjected to so much misinformation, carefully prepared to advance a political cause. With the skillful aid of an official censorship which surpassed all military needs in the suppression of facts, the people have been almost helpless in their effort to learn the truth. The sources of the channels of the news were polluted. Diplomacy has found the department of propaganda as essential an adjunct as the army and navy, and against its machinations the struggle is difficult. I do not condemn the press too severely, for often they are as much sinned against as sinning."—*E. M. Borchard.*

"For months an expensive propaganda has been carried on in behalf of the suppression of free speech. That is what it has really been, although it has been disguised, as only the ingenuity of the professional propagandist can do, with the cloak of patriotism."—*G. Huddleston.*

"Ignorance is the prey of unscrupulous propaganda."—*The Freeman.*

Historians have justly considered that their efforts to use the press as historical material have been hampered by the censorships and the regulations that in varying degrees at different times and in different countries have prevented them from knowing "the facts in the case," and they have looked to freedom of the press as a solvent of these difficulties.

Yet an obstacle to full knowledge of conditions as they are, far more serious than censorship of the press, is found in the press bureau organized to promote a definite propaganda. Censorship of the press implies that a government tolerates the publication of news; freedom of the press, that it does not impose restraints on the publication of news. But in the press bureau the government enters the field as a positive agency for imposing its wishes and opinions, on the press and through the press, on its own citizens, and even on the world at large. A government controls censorship of the press and freedom of the press, and in a democratic country is in its turn controlled by public opinion expressed through the electorate, but nothing in any country has as yet served as a check on the operations of a press bureau.

But it is important to realize that in its origin propaganda had an entirely different meaning from that associated with the word to-day. If it was Gregory XV who in 1622 founded the *Sacre Congregatio de Propaganda Fide* in order to supervise foreign missions, or if it was Pope Urban VIII who, in the middle of the seventeenth century, founded the first school of propagandists to spread the true faith among Teutonic peoples, the controversy over the honor matters little; the essential fact remains that in its origin, in the hands of the Church, it was an instrument for informing the ignorant. During these three hundred years propaganda has shifted from an enterprise of the Church to a work carried on by the State or by private organizations, and its function has become one of perverting opinion and of converting to falsehood. Where the early propagandists sought to form the beliefs of the ignorant, the later propagandists have sought to control the opinions of the intelligent. It is also significant that while the first field of the propagandists was among the Teutonic peoples, it is to Germany that the world is largely indebted to-day "for the curse of propaganda, which in the last four years has spread like a pestilence throughout every corner of the world; and to-day shows no sign of abatement."[1]

This must be understood, however, as applying to the entire field of propaganda, for it must be borne in mind that within the field of propaganda itself there are shades of difference where it is difficult to distinguish legitimate publicity from illegitimate propaganda. The desire to turn others from one way of thinking to another has from time immemorial been a vital influence in human life, and the crusaders of the mind antedated by many centuries the propagandists of Gregory XV. In recent times, it may be said that William Cobbett both in England and in America was an active propagandist; that Louis Blanc in France promoted the cause of socialism through propaganda; that Cavour in Italy spread liberal ideas and opposed conspiracy and secret societies through propaganda; that Bismarck brought about the unification of Germany through propaganda. The confusion in recent use of the word has been due to the tendency to use it to describe every influence exerted by the periodical press from that used unconsciously, openly, or legitimately, to that which has been definitely, secretly, consciously, or illegitimately, planned to secure an object that will inevitably bring harm to others.

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[1] R. Herrick, "The Paper War," *Dial*, February 8, 1919, 66: 113–114.

But in whatever guise it appears, propaganda is the most insidious and baffling foe that a free, independent press has to meet, and it thus becomes the most insidious and baffling foe of the historian in his use of the press. It is a perplexing factor in the use of the press because it is not always possible to distinguish clearly between the press agent, the press bureau, the publicity bureau, "letters to the editor," news service, and the newspaper syndicate; it is difficult to draw the line between a legitimate and an illegitimate use of a press bureau; and it is impossible to arrive at a definition of propaganda that will satisfy both the advocates and the opponents of a specific propaganda. All of these various grades of publicity and of propaganda that shade into each other almost imperceptibly may begin at one extreme with absolute blackmail of journalists[2] and end at the other with the intent to spread the white light of absolute truth.

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[2] "A Financial Journalist" ably discusses the question from the journalist's position and shows how difficult it often is for an editor to distinguish clearly between publicity that is desired for an enterprise that is in itself important, and a work where the balanceof gain is in favor of the promotor,—if he errs on the wrong side, however honestly, he is deemed corrupt.—"The Art of Blackmail," *Contemporary Review*, August, 1898, 74:196–205.

Publicity in its simplest form is that secured through the press agent. As he has been exploited by the theater manager, by the artist of a new school, by the pushing publisher of the work of an unknown author, he has long amused the press itself,[3] and his methods seldom deceive indefinitely either the press or the public. He usually works in the interests of a concrete individual, often in connection with a lecture bureau or similar organization, and his ends are achieved in a packed house with "standing room only" cards displayed.[4]

Royalty has in the past repeatedly been the fulcrum of the efforts of the press agent who has everywhere worked assiduously to correct "false impressions" and to exploit the characteristics that make for popularity. Emphasis on the fondness of the Kaiser for domestic life; on the democratic spirit of the English king; on the physical prowess of the Czar; on the robust physique of the Spanish king—reputed to be delicate; on the excellence of the tennis game played by the crown prince of Sweden;—all of these personal characteristics and tastes reinforced by photographs illustrating them, have been coin of the land for the press agent.[5]

But the press agent working in the interests of a single individual ceases to be amusing when that individual is a public official seeking re-election or official promotion. "Prosecuting attorneys, who are ambitious for further honors, maintain elaborate press bureaus for the distribution of news concerning their offices,"[6] and their press agents become a menace to political society. No less of a menace is the press agent, multiplied into a bureau, in the activities connected with nominations to office.[7]

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[3] See Hamilton Holt, *Commercialism and Journalism*, pp. 38–57.

[4] "A Theatrical Agent's Confession and Apology," *The Independent*, July 27, 1905, 59: 191–196; C. Pollock, "The Confessions of a Press Agent," *Munsey's Magazine*, October, 1907, 38:87–93.

[5] G. J. Nathan, "Press Agents of Royalty," *Harper's Weekly*, December 11, 1909, 53:27.

[6] S. Untermyer, "Evils and Remedies in the Administration of the Criminal Law," *Annals of the American Academy of Political and Social Science*, July, 1910, 36:145–160.

[7] G. K. Turner, "Manufacturing Public Opinion," *McClure's*, July, 1912, 39:316–327. The case is cited of a prominent politician who was believed

The pen of the press agent is nowhere more effective than in extolling the virtues of "the perfect candidate" after a particularly exasperating and surprising nomination to high office has irrevocably been made. Public attention is diverted from his entire and absolute lack of qualification for the office coupled with positive disqualification for it, to his early struggle against poverty, his effort to learn a trade, his personal popularity in his home village, his affection for his family, and the domestic virtues of his wife.

The clipping bureau has been found a convenient means of collecting information on special subjects from widely scattered newspapers, but it has also been instrumental in ministering to a desire for publicity and has thus been an efficient handmaiden of the press agent.[8]

It thus becomes at times extremely difficult for the historian to distinguish between a genuine public opinion and a factitious sentiment created by the press agent.[9]

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to have spent $150,000 in a publicity campaign for promoting his candidacy for the presidency.

The nominating campaigns of 1920 were accompanied by extraordinary expenditures and these in turn by the perennial discussion of the advisability of a compulsory limitation of such expenditures. *The Nation* pointedly remarked that the real question was not whether the Republicans had "started out to get five million or fifteen, or the Democrats half or twice either of these sums, but whether the money which is being raised, whatever the amount, is being lawfully and properly used. . . . What the people would like to know is whether individuals or corporations are being virtually assessed by the officials of any party, whether contributions are being solicited or accepted with any promise or understanding as to favorable government action in return, and whether the funds of any party are being corruptly used."—*Nation*, September, 11, 1920, 111: 286–287.

A somewhat ill-natured article on "Theodore Roosevelt: Press-Agent" states (without proof) that "the unbroken chain of personal triumphs Mr. Roosevelt has won since he has been President can be traced directly to the press bureau of which he is the sole manager."—J. J. Dickenson, *Harper's Weekly*, September 28, 1907, 512: 1410 *ff*.

In April, 1923, the desirability of establishing an office of Director of Administration Publicity, with the rank of an Assistant Secretary of an Executive Department, was reported to have been discussed with President Harding. The press made merry over the suggestion, the President discouraged the plan, and the effort to establish it "died from malnutrition and went to an unmarked grave."—Daily press, April 3–11, 1923.

[8] R. Luce, "The Clipping Bureau and the Library," *Special Libraries*, September-October, 1913, 4: 152–157.

[9] It will be difficult to weigh the genuine opposition to plays and moving pictures like "The Clansman" and "The Birth of a Nation" that may have

The press bureau, as distinguished from the press agent, is usually established in the interest of a special cause or movement in which a group of persons is interested. In its simplest form it carries on its work through advertisements and thus it legitimately promotes an interest in the sale of Liberty Bonds, in Red Cross work, or in household economies.[10] A press association with a salaried agent may be organized at a great university "for the purpose of spreading news from the University through the Western States to a greater extent than it has ever penetrated." [11] Backed by the University and aided by the undergraduate daily, a news story carried every day,—"something is made to happen and it is then described,"—and the co-operation of alumni secured, the publicity bureau seems to have a legitimate field. A similar legitimate field is found in the great civic improvements projected by the far-seeing, but their importance less quickly understood by the rank and file. Tribute has been paid to the work of the press by a distinguished city planner, who, in describing the work done for the plan of Chicago, says that "the most valuable medium of all for publicity for the Plan of Chicago has been the newspapers. Publishers, editors, reporters, feature writers and cartoonists have co-operated intelligently, heartily, and generously to carry to the people of the city the great ideas and the far-reaching benefits contained in Chicago's Plan." [12]

In agriculture, publicity bureaus have been of greatest service in putting before the public needed information.[13] Important cases have been cited where a street railway company and a water supply company have both been unpopular in their local

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been written in the hope of reaping large financial gains through arousing sectional hostility and race antagonism, and to determine how much of this opposition has been due to the enterprising press agent,—an achievement claimed by the press agent in regard to "The Clansman."—H. Holt, *Commercialism and Journalism*, p. 45.

[10] "Cheese Parings and Candle Ends," a series of notes and suggestions on household economies, prepared by a college class in journalism, was sent out to twelve hundred newspapers in 1917.

[11] New York *Evening Post*, April 4, 1914.

[12] J. Nolen, *New Ideals in the Planning of Cities, Towns, and Villages*, p. 129.

[13] See, *e. g.*, Walton S. Bittner, "Public Discussion and Information Service of University Extension," Bulletin 61, 1919, Government Printing Office, 1920.

communities,—underservedly so, they believed. Both employed a press agent, bought advertising space in the local papers for a month or more, and had their side presented with such vigor, candor, and convincing fairness that the hostility of the communities was turned into good will.[14]

In all of these developments of the press bureau, the tendency has been, especially in America, for many organizations to change the name "press committee" into "publicity committee," and so rapid has been the development of all such work that publicity bureaus have been everywhere organized for personal profit. These bureaus take contracts from corporations, societies, organizations, and individuals and thus become the intermediaries between them and the press.[15] They carry on their work through the daily press, the country weeklies, and through every other printed channel, and so successful has been their work that practically every important organization, every department of government, every individual, who for any reason whatsoever deems it necessary to be conspicuous, has established a publicity bureau.

These illustrations will perhaps show that it is the business of the press agent to promote the cause of an individual and of a publicity bureau to promote a cause that its founders believe to be just and honorable. But it is the function of the press bureau as it has been understood, especially in Europe, to promote a cause for some ulterior reason; and its methods, especially as they have been portrayed by Busch in its workings in Germany, have been secret and underhanded. In its most insinuating form it may make announcements through news columns and thus influence public opinion. It may secure interviews from influential persons and thus seem to marshall on its side important citizens or officials. It may work through numerous "letters to the editor" that purport to represent the opinions of "the man in the street." Most insidious of all is the influence it exerts through the editorial.

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[14] Hamilton Holt, *Commercialism and Journalism*, pp. 48–49.

[15] C. W. Meade, "The Victory of Publicity," *Bookman*, September, 1907, 26: 95–98.

Frank I. Cobb, in an address on "The Press and Public Opinion" before the Women's City Club of New York, December 11, 1919, stated that "shortly before the war the newspapers of New York took a census of the press agents who were regularly employed and regularly accredited and found that there were about twelve hundred of them."—Published as Senate Document No 175, 66th Congress, 2nd Session, and also in *New Republic*, December 31, 1919, 21: 144–147.

Walter Lippmann, in *Liberty and the News*, has given a "clear and informed exposition of how deeply public opinion has become involved in a web of propaganda, and suggests the possibilities of a press properly informed and really free."

The subtle differences in the press bureaus of different countries are seen in the means used by each. If the press of one country does not have at one period of its history letters to the editor "which express the grievances, the aspirations, the suggestions, the warnings, the wants, and the controversies of a free-speaking people," [16] the press bureau may work through official communications where these have special weight. The society column and society papers may offer an ingratiating means of conveying certain ideas, but if these are non-existent in any country, other avenues are found. If Germans do not know "that the English religious Press exists for the purpose of political propagandism, and the proving to the secular journals that they have no monopoly of party rancour," and if "what is euphemistically known in England as the 'religious' press is absolutely without counterpart in Germany," [17] the German press bureau finds other channels. If a high degree of illiteracy is found in any country, the press bureau finds in the illustration a ready solution of the question.[18]

The press bureau is not indeed a new device and in this very fact danger lurks for the historian since he does not always realize how far back its work began. After governments ceased to fear the publication of news because they were able to control it through a system of licensing, they quickly appreciated the importance of the newspaper as a means of furnishing political instruction to the people. Macaulay characteristically notes that the *London Gazette* furnished a scanty supply of news without comment, while the *Observator* consisted of comment without news, and the statement perhaps indicates fairly well the rival means through which Cavalier, Roundhead, and Royalist in turn "informed the people." Political parties did not forget the opportunity the press bureau gave them to promote their own ends. It has recently been shown that in the first half of the eighteenth century political influence prevailed in the literary world and that even in determining literary fashions "current demands must be considered of quite as much importance as any critical rules."[19] It has even been asserted that "Addison brought philosophy out of closets to become an active force in English life, but he and the lesser essayists brought forth their individual talents for use in party service for no such altruistic purpose."[20] Defoe seems to have played fast and loose with political leaders and to have placed his pen at the service of Whig or Tory ministers with equal zest for each.[21] The plan of Robert Walpole (1727–1747) seems to have been to subsidize a few papers heavily; and to buy off or to prosecute troublesome opposition writers; to buy papers; to set up opposition papers; and by these and other methods to render political control unprofitable for the great majority, because only a few writers were needed under this centralized system of news dispersal.[22] Thus under Walpole the press bureau became a one-man news-collecting organization. Fielding, in publishing his *Covent-Garden Journal*, seems not to have wished to enter the political field, but to have done so mainly from "a whole-hearted desire to reform the manners and morals of the age, and to remedy the defects in the administering of justice to those whom the pernicious influences of the age had perverted."[23] While he was in a measure diverted from this object by the "paper war" forced upon him by the "army of Grubstreet," there has been general recognition that

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[16] C. Lowe, "The German Newspaper Press," *Nineteenth Century*, December, 1891, 30: 853–871.

[17] W. H. Dawson, *German Life in Town and Country*, pp. 314, 313.

[18] A single example among many that could be cited is one given in a letter to the *Arbeiter Zeitung* from a correspondent in Cracow. He writes of having a copy of the *Wiener Bilder*, No. 18, giving illustrations purporting to show the Austro-Hungarian troops participating in the operations on the Western front. But "the Austrian troops marching through a French village were actually photographed in Cracow," as was evident from the buildings, the names of streets and the house numbers; and the general to whom an officer was represented as reporting "had been in Cracow for several months.'

The *Arbeiter Zeitung* says that it "would not discuss this swindle further if it were the invention of the newspaper in question, but these papers come, as is expressly stated in the publication, from the illustrations division of the war press headquarters."—May 15, 1918. C.

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[19] D. H. Stevens, *Party Politics and English Journalism 1702–1742*, p. viii.

[20] *Id.*

[21] W. P. Trent, *Defoe*, Chaps. V–IX; William Lee, *Daniel Defoe*, I. See especially Defoe's letter to Charles Delafaye in which he describes his work as a journalist spy. Trent, pp. 161–165, Lee, I, x–xiii.

[22] D. H. Stevens, *Political Parties and English Journalism*, p. 118.

"pow'r consign'd the laws to his command,
And put the scales of Justice in his hand."[24]

During the years of ferment in England when liberal thought was demanding the extension of the suffrage, the redistribution of parliamentary seats and greater freedom of thought in all directions, men in high official circles became keenly alive to the opportunities afforded by the press for resisting all these demands. In a remarkable letter written August 21, 1829, by Croker to Planta, apropos of an effort to start a newspaper, he says: "I have heretofore conveyed to the public articles written by Prime and Cabinet Ministers, and sometimes have composed such articles under their eye—they supplied the *fact*, and I supplied the *tact*, and between us we used to produce a considerable effect. In a Cabinet like ours, surely there might be one person who could find leisure for this sort of supervision, if not for some more direct co-operation. If anything of this kind were practicable, it ought to be done in the most profound secrecy, and every possible precaution against even a *suspicion*, should be taken, and the Minister who should undertake it, and you his *conveyancer*, as Junius calls it, should throw in, here and there, such a slight mixture of error or apparent ignorance, as should obviate suspicion of its coming from so high a source."

This seems a very tame form of press bureau in comparison with what was later inaugurated on the Continent, but Croker urges that "the times are gone by when statesmen might safely despise the Journals, or only treat them as inferior engines, which might be left to themselves, or be committed to the guidance of persons wholly unacquainted with the views of the Ministry." He praises the journals of France, "edited by Peers, Privy Councillors, and Deputies, and see the result—they are undoubtedly at this moment the best written and the most effective body of political literature that ever existed. Our journals are now very poorly done, by needy adventurers; yet in what a style are they written, and what effect do they produce? . . . the day is not far distant when you will (not *see*, nor *hear*), but *know* that there is someone in the Cabinet entrusted with what will be thought one of the most important duties of the State, the regulation of public opinion."[25]

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[23] G. E. Jensen, *The Covent-Garden Journal*, I, 2–3.
[24] Epitaph by Christopher Smart, cited *ib.*, I, 118–119.

Less than two years later this was the policy urged on the Duke of Wellington by one of his ardent supporters[26] who realized that "the press was generally hostile to him; he had never courted it, but, on the contrary, embraced every opportunity of vilifying and sneering at it, and, when Prime Minister, avoided as much as possible all communications with newspaper editors and writers." The Government had resigned in November, 1830, Parliament had adjourned to meet in February, 1831, and when the Reform Bill was brought in his votary lamented, "As to the newspapers, all, or nearly all, without exception, as well metropolitan as provincial, joined in a chorus of applause." But "on the defeat of the ministerial measure depended the existence of the monarchy," and hence the "first thought was turned toward the best means of working upon public opinion."

This resulted in a letter from his devotee to the Duke of Wellington, April 4, 1831, in which he presses the point that "the defenders of the British Constitution are cramped and hindered through lack of external support and of internal unity." "Above all," he urges, "you exercise no control over the periodical press. Now the press is a very powerful engine, of which your opponents fully understand the value, and of which they wisely make use. My Lord, you must endeavour to do likewise, otherwise there can be no hope for you in the present or any other great struggle." "Let the London papers write as they will," he continues, but he presses the Duke to "make arrangements for setting up in every county one or more newspapers which shall advocate the cause to which you are attached." He reassuringly adds that he "has not dropped a hint of this idea to any one" and trusts that his Grace will write to him in confidence, and he continues in a postscript that he has done his "best to get the command of one paper, but found the proprietor stubborn because the Tories, as usual, seem afraid to speak their opinions."

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[25] J. W. Croker, *Papers*, I, 421–423.

[26] G. R. Gleig, *Personal Reminiscences of the First Duke of Wellington*, Book I, Chaps. III–VII.

The Duke of Wellington in reply acknowledges that he has allowed his "contempt for the newspapers to influence [his] conduct in respect to the press, when [he] was in office." But he is apparently much more concerned about his firm belief that "in a short time, and that a period approaching nearer to be counted by months than by years, nothing will remain of England but the name and the soil" and that "we are thus to be cheated to our ruin and destruction, which I consider to be as certain, if this measure passes the Parliament, as it is that I am writing by the light of the day," than he is concerned in averting it through the press.

But his mentor still presses the matter and clings to "the idea of bringing influence to bear upon the provincial press. The London papers are seldom read by the yeomanry or the tradesmen in the provinces, and they exercise comparatively little influence over the minds of the educated classes."

The Duke of Wellington consistently refused to yield a hair's breadth in the direction of reform and his confidant tried to encourage him in writing him: "Only conceive, that on the day of the first reading of the Bill, not a word was said upon the subject in the newspapers. . . . The course pursued by the anti-reformers could not have produced this silence if there had existed any real feeling in the House in favor of the Bill."

But it was "whistling to keep their courage up." His adherents did not relax their unceasing efforts "to obtain the support of at least one morning journal in London," though admitting their doubt as to the ultimate success of the plan. The plan itself involved much secrecy and it "will keep you, Sir Henry Hardinge, and myself out of sight, and Lord Mahon is fully to be trusted." But it was all of no avail. The pessimism of the Duke of Wellington, his lack of faith that anything could be done, his conviction that nothing was quite worth while since the country was hopelessly doomed, and his obstinate belief in the obstinacy of his opponents, all combined to thwart the well-laid plans of his supporters for controlling the press and making it appear that there was in England no general demand for parliamentary reform. The letters that passed between G. R. Gleig and the Duke of Wellington from April 4, 1831, to March 2, 1832, are the best illustration that has been noted of an effort to set up a press bureau to control English opinion.

These illustrations, but a few out of the many that fill the pages of English political literature especially during the eighteenth century, have been suggested to show that in any period when journalism practically depends for its existence upon the favor of political parties and when political parties remain in power through the support given by journalists and pamphleteers, it is almost impossible for the historian to disentangle the honest expressions of the press from the meshes of the press bureau.

These difficulties experienced in the English press are even enhanced during certain periods of the French press. A distinguished American diplomat has noted the "curious resemblance between the journalistic methods of Napoleon and the methods still apparently approved by the descendants of those whom Napoleon defeated."[27] The observation is based on a careful examination of the newspapers published in Berlin during the French occupation of the city in the winter of 1806, many of which bear marks of "inspiration" in their astute references to Napoleon's plans and successes, and were obviously not a German or even a Prussian product.

Napoleon's control of the press through censorship, suppression, and regulation by law has long been understood,[28] but it has remained for M. Périvier to bring together in *Napoléon Journaliste* the various journalistic activities of Napoleon, and to show that he was the able and industrious head of a press bureau that may well have served as a suggestion for that operated later (and improved upon) by Bismarck. Napoleon was a journalist who founded newspapers, directed their policy, and contributed to them. Undaunted by the failure of the Directory to establish an official newspaper, he utilized the *Moniteur* as such. To this he personally contributed much and he was proud of his work.[29] He decided what was to appear intact, what was to be censored, and what was to be "doctored," [30]—the nominal editor wrote dramatic news and criticism. The *Moniteur* thus became the only "official" newspaper [31] and well exemplified Napoleon's definition of such a journal.[32]

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[27] C. Tower, "The History of the 'Inspired' Press in Germany," *The Spectator*, November 7, 1908, 101: 729.

See also L. Salomon, *Napoleon I und die deutsche Presse*, volume II of his *Geschichte des deutschen Zeitungswesens*.

[28] "C'est une série interminable de saisies, suppressions, censures, avertissements, réprimandes, emprisonnements, bris de presse, sans interruptions et à jet continu!"—A. Périvier, *Napoléon Journaliste*, p. 112.

See E. Hatin, *Histoire de la presse en France*, vol. VII; L. Tripier, *Constitutions qui ont régi la France*, gives the constitutional provisions concerning the press; F. M. Anderson, *The Constitutions and Other Select Documents Illustrative of France, 1789–1901*, gives the laws concerning the press.

In the early years of the Consulate all but thirteen of the political journals of Paris were suppressed. This meant sixty out of seventy-three, and their suppression made possible at least the external control of the press by Napoleon.[33] How effective this was is everywhere evident, as is also the extent and the nature of his control.[34]

[29] When asked where illustrations of his style could be found, Napoleon replied, "Voyez mes proclamations et mes articles dans le *Moniteur!*" and when he opened at St. Helena a box containing a collection of the *Moniteur*, he read his articles "jusqu'à la fin du jour," and then exclaimed, "Et ils ont osé dire que je ne savais pas écrire!"—A. Périvier, *Napoleon Journaliste*, pp. 16–17.

[30] Fournier gives an interesting illustration of this in a letter written in 1807 by Napoleon to Cambacérès directing him to insert in the *Moniteur* statements that the Russian army was wholly disbanded, and that Königsberg might congratulate itself that it did not come within his plans to follow up the Russians; in letters written on the same day to Cambacérès and to Daru he gives to one three thousand as the number wounded, and to the other seven thousand to eight thousand, while the number really was three times that.—*Napoleon the First*, p. 374. Note.

[31] "L'investiture officielle fut donnée au *Moniteur*" in a letter from Maret to Fouché, December 27, 1799.—A. Périvier, p. 126.

[32] "Quand un gouvernement authorise un journal à informer ses souscripteurs qu'il est officiel, il fait connaître que les actes d'administration qui sont publiés dans ce journal sont authentiques et que les lois et les délibérations des autorités constituées que ses rédacteurs publient sont textuellement copiées d'après les expéditions qui leur sont transmises soit par les secrétariats de ces autorités, soit par la secrétairerie d'État."—Périvier, p. 182.

[33] H. Welschinger says that Napoleon spoke of "mes journaux," and that he believed it was possible for him to use the newspapers as he could the material resources of the country and turn them to his own uses.—*La Censure sous le premier Empire*, pp. 91, 95.

[34] See Périvier, pp. 128–140, for the evidence and for illustrations of Napoleon's "collaboration matérielle." Two facsimiles are given, pp. 134, 294, showing instructions given by him.

The *Moniteur* was in effect a press bureau operated in the interests of Napoleon at home,[34a] always against the English abroad,[35] always attempting to create discord among neutrals, always idealizing the plans of Napoleon for the regeneration of the world. The most important numbers were sent gratuitously all over Europe;[36] its circulation in France was increased at the expense of the real owner, Agasse; and copies were sent to the army camps.

But the *Moniteur*, while official, was governmental and Napoleon wished an organ that was purely personal,—hence, in 1802, the *Bulletin de Paris*. When it proved not a success, he offered the editorship to Fiévée, an able, independent writer. But Fiévée wrote: "Nothing seems to me less useful than these semi-official newspapers that live only by the protection of the government; they are not out a month before everyone knows who conducts them, for what and for whom they are conducted, they are read less for forming opinion than for knowing what the government wishes to have thought, and when it is seen that a government is trying to form opinion from day to day, it is resented and an opinion directly the opposite is created." And Fiévée adds, "Why persist in continuing the *Bulletin de Paris?* Let it die!"[37]

The idea was dropped since Napoleon probably realized that Fiévée had pointed out its inherent weakness. It was doubtless suggested by his somewhat recent experiences in Italy where the members of his family had carried on an extensive propaganda in his behalf. He himself had started two journals in Italy and had controlled their policy. The Egyptian campaign led to the *Courrier d'Egypte* and he begged Kléber to have an article in the first number reprinted in Arabic, to have it circulated through the Levant, and to send him four hundred copies. A second journal was started in Egypt, literary and economic in character. Thus was "peaceful penetration" to be secured in Egypt. Later in Berlin, he started a small newspaper similar to those he had established in Italy and in Egypt and intended to be the organ of the French occupation; it bore the name, in 1806, *Le Télégraphe.* Annoyed by the lack of uniformity in the religious press, he suppressed it and established in place of it the *Journal des Curés.*

[34a] He wrote Fouché, April 17, 1805, "J'entends que les journaux servent le gouvernement et non contre."—Périvier, p. 238.

[35] Napoleon wrote to Fouché, June 1, 1805, "Il faut que l'esprit des journaux soit dirigé dans ce sens d'attaquer l'Angleterre dans ses modes, ses usages, sa littérature, sa constitution."—Périvier, p. 245.

He also permitted no admiration of other nations. The editor of the *Publiciste* was severely rebuked for an appreciative article on Italy.—H. Welschinger, *La Censure sous le premier Empire*, p. 95.

[36] "Napoléon a pu dire justement que, par la voie du *Moniteur*, il se faisait entendre dans l'Europe tout entière!"—Périvier, p. 140.

[37] Périvier, pp. 196–199.

But Napoleon was a soldier not a diplomat, and he apparently never learned the art of disguising his official communications or his ulterior plans so successfully as to make the worse appear the better reason. The press bureau under him was not a success; he could suppress, censor, crush, and intimidate the press, he could secure its adulation and its homage, but he evidently could not force his opinions on it.[38]

But Napoleon had an incurable desire to learn the news and he proposed that Fiévée should write "un journal pour lui seul." Fiévée showed little desire to accede to Napoleon's wish, but he finally, through the mediation of M. de Lavalette, accepted the commission and he wrote Napoleon a series of letters on public affairs in which he fearlessly expressed his opinion, opposed imperialism for France, told the Emperor unpleasant truths, gave sound advice by which Napoleon might well have profited, was well paid for his exclusive services, continued the relationship with Napoleon for eleven years, and when the crisis in Napoleon's career was approaching, he retired to the country. Napoleon was not a Bismarck and Fiévée was too independent to prove a Busch. The combination of the two are necessary for an effective press bureau. It is significant that its chief result was the unpremeditated one of revealing still another phase of Napoleon's character and ability.[39] Fiévée has in no uncertain terms given his own verdict in regard to the arrangement and has at the same time shown a profound insight into the mutual relations of the press and the public in saying, "Comme écrivain, entre m'addresser au public ou à un souverain, fût-il dix fois plus élevé que la colonne de la place Vendôme, je n' hésiterai jamais à préférer le public; c'est lui qui est notre véritable maître; c'est à lui que nous rendons homage en défendant la liberté de la presse." [40]

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[38] This account of Napoleon's press bureau is based largely on the exhaustive account of Périvier, supplemented by the *Moniteur* and J. Fiévée, *Correspondance et relations de J. Fiévée avec Bonaparte pendant onze années* (*1802 à 1813*). 3 vols.

It seems unfortunate that this elaborate study of M. Périvier's should not have been given due credit as being the base of the various articles that appeared in 1919 relating to Napoleon and the press. The work brought together much scattered information from sources not generally accessible and is a valuable addition to our knowledge of a little-known phase of Napoleon's activities.

Another important contribution to the subject is that made by A. Nettement in his *Histoire du Journal des Débats.* 2 vols. 1838.—M. Nettement cites a letter written by Napoleon to Fiévée, when the *Journal des Débats* was threatened with a censor, in which, probably more clearly than elsewhere, Napoleon states his attitude towards the press. In it occur the oft-quoted words of Napoleon,—"Le titre du *Journal des Débats* est aussi un inconvénient; il rappelle des souvenirs de la révolution; il faudrait lui donner celui de *Journal de l'Empire* ou tout autre analogue."—I, 172–174.

But it is in the press bureau established by governments practically unchecked by representatives of the people and uninfluenced by public opinion that the historian finds his most perplexing problems. Even the press bureaus of the eighteenth century, manipulated by the ministers of political parties, are less an obstacle in his pursuit of truth than are the governmental press bureaus of the latter part of the nineteenth century and of those of the present century.

Germany has afforded a peculiarly congenial soil for the operation of a press bureau and for propaganda in every form. English, American, and French writers have been practically unanimous in finding that "the German has been trained in a severe school to seek knowledge, not to look for news, and he does not make the same demands, therefore, upon his newspaper." [41] Nearly twenty years ago, an English writer noted that the Germans

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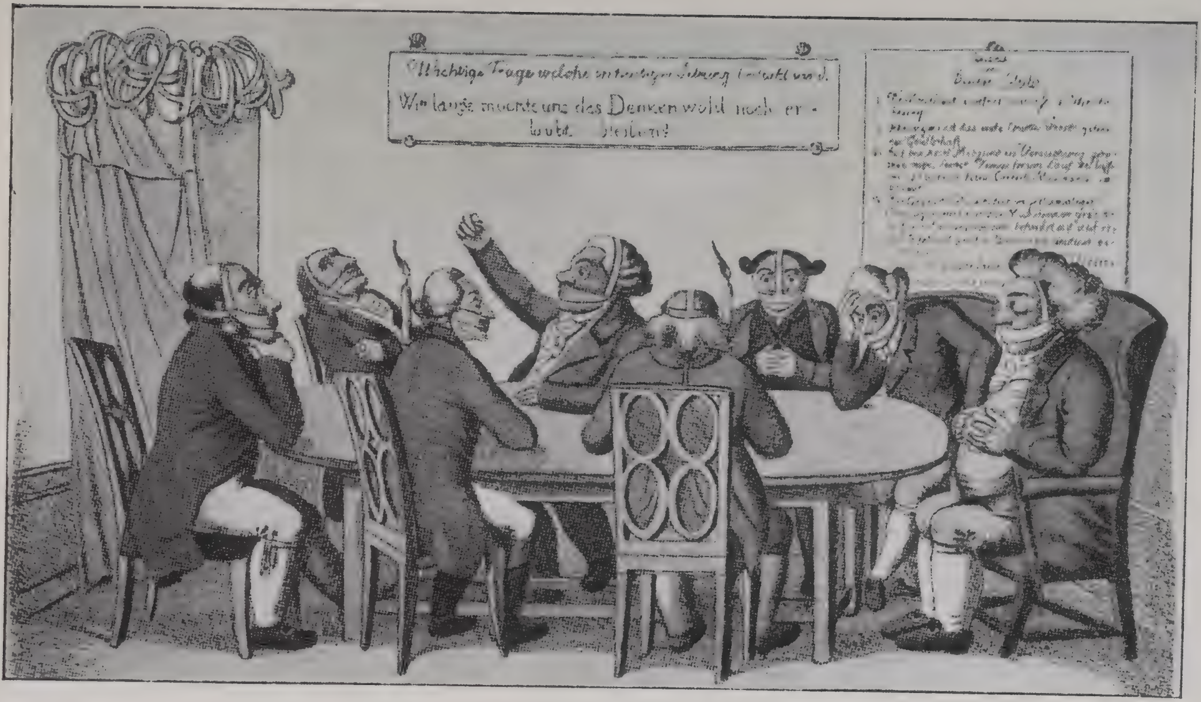
[39] These *Notes* ran from October, 1802, to March, 1813. They numbered one hundred and one and averaged in length from twelve to fourteen pages in collected printed form. They were sent irregularly,—at one time two months passed without a letter to Napoleon. Fiévée apparently collected the news himself, with a true reporter's insight combining news of politics and of church, and visiting prisons, for example, and other places then not usually regarded as sources of news. The scope and character of his work can only be understood by an examination of *Correspondance et Relations de J. Fiévée avec Bonaparte pendant onze années (1802 à 1813)*. 3 vols. 1836.

[40] J. Fiévée, *Correspondance*, I, clxxvii.

[41] Price Collier, *Germany and the Germans*, p. 172.



Wichtige Frage welche in heutiger Sitzung bedacht wird.
Wie lange möchte uns das Denken wohl noch erlaubt bleiben?

"Der Club der Denker," um 1820

had a contempt for their own press, that as an occupation it was not attractive to educated young Germans, that they regarded everything connected with it as beneath serious consideration, and that "no other press in the world is so docile, so well drilled and controlled, so entirely an instrument of authority, for good or for evil." [42]

It is in the pages of Dr. Moritz Busch's *Bismarck: Some Secret Pages of His History* that is found "a classic account of the Press Bureau of the German Foreign Office and of its tortuous methods." [43] Here as in a mirror can be seen the control over the press exerted by the virtual, although not the titular head, of the German government. Bismarck as the controlling influence of the press bureau had his hand on every article that emanated from the foreign office. He supplied it with hints, sketches, and full instructions; he suggested and dictated articles; he rewrote letters and articles; [44] he indicated the various journals in which they were to appear,—official, semi-official, or those that were unsuspected; [45] he designated the form in which they were to appear,—whether as paragraphs, editorials, special correspondence, communications, disclosures, or news; he directed letters to be sent to the press as if written in Paris by a Frenchman,[46] or as written from Rome, or from provincial Germany;[47] he indited articles to be worked up for German newspapers outside of Berlin and for English and Belgian journals, and others that were to be reproduced in the Russian press, in the provincial German press, and in the local French press. Never in Germany itself did the press bureau know rest or respite day or night and it affected every circle from that of the Emperor himself[48] to the lowest round of the social ladder.[49] It was upon the press bureau that Bismarck relied to minister to his hatreds both at home and abroad and thus to accomplish the controlling ambition of his life,—the unification of Germany around Prussia.[50]

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[42] One Who Knows It, "The German Press," *National Review*, December, 1904, 44: 632–641.

[43] H. W. Steed, *The Hapsburg Monarchy*, p. 198.

[44] The library of Cornell University has manuscript articles written for the press by others, but with copious changes, suppressions, and emendations in Bismarck's handwriting, illustrating Busch's description of the way articles were written for the press under the direction of Bismarck.—A. D. White, "Bismarck," *Seven Great Statesmen*, p. 503.

[45] Busch sent letters to the *Norddeutsche Allgemeine Zeitung*, *Spenersche Zeitung*, *Neue Preussische Zeitung*, and the *Kölnische Zeitung*, "which were always accepted without alteration;" he gave writers from the literary bureau material for the *Magdeburger Zeitung* and other smaller papers, and also supplied portions of it to Silesian, East Prussian, and South German organs; he gave weekly interviews to the writers for the *Augsburger Allgemeine Zeitung*, and various papers in Hanover, Hamburg, and other cities, as well as to a prominent writer on the *North German Correspondence*, "which had been founded with a view to influencing the English press."—*Bismarck*, I, 5–6.

[46] Bismarck once commissioned Busch to write a letter that was to be dated from Paris and published in the *Kölnische Zeitung*. He gave Busch the leading ideas for it, but after it was written chided him for not writing after the manner of a Frenchman. "It must contain more gossip, and you must pass lightly from point to point. In doing so you must adopt an altogether French standpoint." Busch adds that "finally Count Bismarck dictated the greater part of the article."—*Bismarck*, I, 11, March 3, 1870.

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[47] Busch quotes Bismarck as saying, "I wish you to write something in the *Kreuz Zeitung* against the Hanoverian nobles. It must come from the provinces, from a nobleman living in the country, an Old Prussian—very blunt, somewhat in this style:" Then follows an article of about two hundred and fifty words directed against these Hanoverian "*Hundsvott.*" *Bismarck*, I, 50–51.

This device was apparently never abandoned in Germany. During the recent war, reports and news favorable to Germany and unfavorable to the Allies were often dated from Scandinavia or Spain, but sent from German News agencies to neutral countries.—S. Dewey, "The Press in France—Censorship and Propaganda," *The Nation*, February 10, 1916, 102: 158–159.

[48] The letters of the Emperor and Bismarck show incidentally the constant effort of the Emperor and of Bismarck to have their views properly presented through the press.—A letter of the Emperor to Bismarck, March 31, 1863, entreats him to "hurry" and print a semi-official article to contradict an untrue account given by the *Vossische Zeitung* of a theater incident in which the Emperor was concerned.—The Emperor complains to Bismarck in December, 1863, that the daily police reports he receives contain *nothing* but newspaper cuttings, and absolutely no *indications* of the local feelings.—Later, he complains of an abusive article of the *Kreuz Zeitung* concerning the Duke of Coburg. "Please, therefore, put a stop to the mischievous procedure of the *Kreuz Zeitung* in respect of the Duke."—*The Correspondence of William I and Bismarck*, translated by J. A. Ford, I, 16, 31, 61.

[49] Bucher, Councillor of Embassy, and described by Bismarck as "a real pearl," brought Busch an article from the *Pester Lloyd* saying, "The blue pencil mark, and the query 'Surely to be laid before the Chancellor?' are by Aegidi. He thinks it will be something new for the Chief. I am, however, pretty certain that the article has been written at his suggestion. I myself have on one occasion launched something of the kind against Augusta. Just see that the article, or the best passages in it are reproduced in some low outside print." The "best passages" cover three and a half pages and for the most part concern the Empress Augusta reported as "the centre of that coalition which desires to stay the hand that Bismarck has raised to strike." April 14, 1872.—*Bismarck*, II, 183–187.

Later, Busch "received his instructions for a press campaign against the Empress Augusta" and he followed them out with the utmost zeal.

[50] "Our task was the establishment of initiation of a German national unity under the leadership of the King of Prussia."—Bismarck's *Autobiography*, II, 51.

Bismarck himself once said, "[Envy] is the national vice of the Germans. They cannot bear to see any one hold a high and leading position for any length of time," [51] and the press bureau was the instrument for the successful or attempted humiliation of all real or imaginary rivals. It was again on the press bureau that Bismarck relied "as a convenient medium for the timely disclosure of state secrets. Thus the *projet de traité*, with which Benedetti's name will ever be associated, was given to the world." [52]

This policy was not new,—it had been begun when Bismarck had served as Prussian Envoy to the Frankfort Diet where he had controlled the Prussian press bureau from 1851 to 1859, and had had dealings with the corresponding Austrian press bureau.[53] What attitude could be expected was indicated by a letter he had written under date of June 30, 1850, in which he says of the printing press: "I can not deny that there is a sort of Caliph Omar instinct in me, prompting me not only to the destruction of books (all but the Christian Koran), but to the annihilation of the means of producing new ones. The art of printing is the chosen instrument of Antichrist." [54] But as he came to appreciate that the press could be made a useful instrument he was torn by conflicting feelings. He complained bitterly of the influence Austria exercised in Germany through the press and he wrote from St. Petersburg, May 12, 1859, to Schleinitz, President of the Prussian ministry, that he had noticed "with concern the absolute sway which Austria exercises in the German Press by means of a cleverly-constructed network of influences, and how well she knows how to handle this weapon," and it was to this that he attributed much of Austria's influence in the Diet at Frankfort. He was even then convinced, says Dawson, that the press could easily be bought. "Most of the correspondents," Bismarck wrote, "write for their living, the chief object of most of the newspapers is to make a good profit, and an experienced reader, in reading some of our Berlin newspapers, can easily see whether they have recently received another subsidy from Austria, whether they are expecting one, or whether they are giving a threatening hint that they wish for one." [55]

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[51] M. Busch, *Bismarck: Some Secret Pages*, III, 95.

[52] H. W. Lucy, *The Emperor's Diary*, "Introduction," p. 10.

[53] C. Lowe, *Prince Bismarck*, I, 153 *et seq.* Throughout the work the author, the correspondent of the London *Times* at Berlin, gives much valuable information and throws much interesting light on Bismarck's relation to the press,—of his contempt of it and of all journalists, of his willingness to use it to accomplish his ends and defeat those of his enemies, of his support of a free press, when it coincided with the interests of Prussia to have a free press, and his opposition to it when it conflicted with those interests.

See also C. Lowe, "The German Newspaper Press," *Nineteenth Century*, December, 1891, 30: 853–871.

[54] "The Change of Government in Germany," *Fortnightly Review*, August, 1890, n. s. 48: 282–304.

Bismarck's contemptuous attitude towards the press might have been modified by his fruitless attempts to insert paid articles in the French press, but apparently it was not. Much as he was willing to censure Austria, he evidently thought only of fighting fire with fire and "instead of attempting to oppose this policy of corruption by one fitted to win the popular sympathy, Bismarck only lamented the scantiness of the means placed at his disposal by his own Government for the same purpose." [56]

Ten years later this was made possible through the control of the Guelph fund which yielded an annual income of one million marks and which was placed at the disposal of the press office.[57] This secured the independence of the press bureau. Bismarck could boast of the service rendered by the press,[58] while expressing his contempt for those whom the press bureau had corrupted,[59] and withdrawing his subsidies at pleasure without explanation.[60] It enabled him to keep his secret agents at the capitals of those nations that had roused the envy of Germany,[61] to persecute individuals who had roused his personal jealousy,[62] to stir up dissensions among allies, and thus under the management of Bismarck "the press became a weapon in the hands of the government rather than an organ of public opinion," [63] and his successors developed it along somewhat different lines, but with apparently no diminution of its power and influence.

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[55] W. H. Dawson, *The German Empire, 1867–1914, and the Unity Movement*, II, 264, Note.

[56] "The Change of Government in Germany," *Fortnightly Review*, August, 1890, n. s. 48: 282–304.

[57] This is often spoken of as the "reptile fund," since Bismarck in 1869 in justifying the application of the income of the sequestered Hanoverian Crown property to the use of the secret service said, "I was not born to be a spy; the part is foreign to my whole nature; but I believe that we deserve your thanks if we subject ourselves to the task of following noxious reptiles into their holes to observe what they are doing." See Munroe Smith, *Bismarck and German Unity*, p. 124; Charles Lowe, *Prince Bismarck*, I, 464–466; L. Bamberger, "The German Daily Press," *Nineteenth Century*, January, 1890, 27: 24–37.

[58] Busch reports Bismarck as saying, January 22, 1871: "One learns more from the newspapers than from official despatches, as, of course, Governments use the press in order frequently to say more clearly what they really mean. One must, however, know all about the connections of the different papers."—*Bismarck*, I, p. xx.

[59] Bismarck is reported as speaking of the corruptibility of mankind and as saying that he suspected that there were also "some rotten fish of that description on the press." "I never had any doubt so far as Brass [of the

But if Bismarck was complaining of the influence of the

Norddeutsche Allgemeine Zeitung] is concerned. He took whatever was offered to him by friend and foe. And doubtless the *Kölnische Zeitung* was not much better." Busch, II, 339, October 20, 1877.

Bismarck's unreserved contempt for the press found expression in the phrases attributed to him,—"decent people do not write for me," "a journalist is a man who has missed his vocation;" journalists were called "ink sparrows," "press scamps," and "quill cattle."

[60] "The *Süddeutsche Presse* was henceforth not to receive any subvention. Fröbel, the editor of the paper, is however to get further sums of 2,000 and 7,000 florins for the year 1872, in all 9,000 florins, as compensation." Busch, *Bismarck*, II, 123, November 8, 1871.

[61] Bismarck is quoted as saying to Busch: "The imperial emigrants in London have established an organ, *La Situation*, to represent their interests. Its contents are to be reproduced in the newspapers we have founded in the eastern districts of France, but the sources are to be so indicated as not to identify us with the views therein expressed: *i. e.*, it must be understood that we are not endeavouring to promote the restoration of the Emperor. Our object is merely to maintain the sense of insecurity and discord between the various French parties, which are all equally hostile to us. . . . We merely desire to utilize the existing chaos in France. The future of that country does not concern us." September 21, 1870.—*Bismarck: Secret Pages*, I, 197.

In his official proceedings against Count von Arnim, Bismarck did not raise the question about the Count's having used the money given him (6,000 to 7,000 thaler) to represent Bismarck's policy in the French press, but using it instead to attack his policy and his position in the German press. —Bismarck's *Autobiography*, II, 179–180.

[62] The "campaign against Augusta" has been noted (*ante*, p. 326); the absolute callousness of it is indicated in a passage from Busch's diary, where he wrote April 29, 1888, "I read this morning in the *Berliner Boersen Zeitung:* 'We are in a position to state that the Imperial Chancellor, as was indeed to be expected, is most indignant at the notorious article in the *Grenzboten* slandering the Empress Victoria, and that he has given expression to his condemnation in very strong terms.'" On the previous page Busch had written, "I had been with him [Bismarck] about twenty minutes. In the following three days I wrote the desired article, and sent it to the *Grenzboten*, where it appeared in No. 17, under the title, 'Foreign Influences in the Empire'."—*Bismarck: Secret Pages*, III, 188, 187.

[63] A. L. Lowell, *Governments and Parties in Continental Europe*, II, 49.

Austrian press in Germany, Austria on her part was at this time beginning to model her press bureau on that of Prussia, and it therefore seems necessary to consider it here. Like its prototype, the Austrian press bureau was most thoroughly organized. This organization consisted of a chief of the bureau with a large staff of officials who were professional journalists familiar with the principal European languages. The bureau subscribed to the chief foreign newspapers, it kept an exact register of the position, resources, proprietorship, and connections of every important foreign journal, it watched the representatives of these papers in Austria-Hungary and noted their opinions and doings, it reported from day to day on the foreign press, and it received periodical reports from the Austro-Hungarian embassies, legations, and consulates abroad. Foreign journalists of note were encouraged to come to Vienna, given easy access to Government Ministers, and were able to state that their information is "invariably drawn from the very best sources," and they were kept supplied with "information" after leaving Vienna. The "sphere of influence" of the press bureau of the Austrian foreign office was thus international, extending to every European capital and to America.

The work of the bureau consisted in furnishing semi-official articles to home and foreign journals that were subsidized from secret funds and it transmitted these by telephone, telegraph, or mail to editors who knew that their failure to publish these articles meant the withdrawal of subsidies, the stoppage of official news, and a campaign of intimidation. It sent to demi-semi-official organs lithographed or printed *Correspondenzen*, printed, however, as if manuscript. Sometimes cases were known of "leading articles having been foisted ready written, even upon reputable English newspapers whose editors had no notion of the veritable origin of the views to which they were giving currency and may even have felt flattered to find 'their' leader subsequently reproduced in full as 'an authoritative English opinion' in the Austro-Hungarian organs and the 'Literary Bureau.'"

The inevitable result, and indeed the result desired, was that the "Austro-Hungarian press is almost entirely under official control when dealing with questions of foreign policy, and the public rarely gets an inkling of the merits of a situation which may involve the country in war."

These are suggestions of the organization and the work of the press bureau connected with the Austro-Hungarian foreign office, but similar bureaus were connected with the other departments of the government. They were liberally endowed with secret funds "for the encouragement of journals and journalists," and their ostensible object was "to supply the press with authentic and reliable information but, in reality, the work of a press bureau is to control, inspire, corrupt, spy upon and intimidate the press and its representatives."

The work of the Austro-Hungarian press bureau did not end here. A secret military convention put the Austro-Hungarian semi-official organs at the disposal of Germany in regard to international questions affecting interests mainly German, while the German semi-official press is at the disposal of Austria-Hungary when Austro-Hungarian interests are specially involved. It is thus evident that "in the Hapsburg Monarchy and particularly in Vienna, the press consists less of 'organs of public opinion' than of instruments working to manufacture public opinion, primarily in accordance with the wishes of the State authorities and, secondarily, in the interests of financial and economic corporations." Its chief defect was its semi-officialism,—"intended to influence the public without letting the public know that it is being influenced," and these "manifestations of Press Bureau activity . . . form part of a system which is extremely insidious and is sometimes extremely effective."

Nor again did the press bureau activities of the Austrian Government end here, but they extended over the sale and circulation of newspapers. Except to subscribers, they "are still retailed to the public, like cigars, matches, postage-stamps, and lottery tickets, in the State tobacco shops and are not allowed to be sold by news-vendors or by newsboys in the streets. Confiscation of the whole issue of any journal is thus a comparatively easy matter, inasmuch as the police authorities are able within a few minutes to put their hands upon nearly every copy printed. In extreme cases the Government can forbid the sale of an opposition journal in the tobacco shops."

The history of the Austrian press is thus "largely the history of a struggle to widen the field of activity that lies between the extremes of official inspiration and official confiscation." [64]

The German press bureau had thus begun under Bismarck during the Frankfort parliament; through it he had secured the union of the German states around Prussia—"the *Kölnische Zeitung* is worth an army corps on the Rhine" he is reported to have once said; and through it he had strengthened the German Empire. It was during the same period, by similar methods, that the influential press bureau had been developed in Austria.

In the interval between the retirement of Bismarck and the war of 1914, the German press was apparently controlled by its official press bureau, although "the pious fiction of its non-existence [was] religiously kept up." Many influences perpetuated it, not the least being the hold it had acquired on the press during the Bismarck régime. Its continuation is also explained by the slowness with which authority learned "that two can play the game of buying public opinion as 'directed' by the Press;" that the press bureau "is reactionary and a hindrance both to the ripening of the German to political maturity and to the advance of the Empire in modern political development;" [65] and that "the more a government seeks to influence public opinion through the press, the more it experiences the unpleasantness of having to put its name to all that it would like to have said." [66]

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[64] This account of the press bureau in Austria is largely drawn from H. W. Steed, *The Hapsburg Monarchy* (1913), "the most complete account of the Hapsburg Monarchy that has ever appeared." For the author, see H. Fyfe, "The New Editor of the London 'Times,'" *The Living Age*, July 19, 1919, 302: 152–155.

In comparison with the press of other continental countries, little has been written on the press of Austria, but excellent articles are by A. J. Evans, "The Austrian War against Publicity," *Contemporary Review*, September, 1882, 42: 383–399; J. M. Vincent, "Politics and History at Vienna," *The Nation*, December 10, 1891, 53: 443–445; G. Valbert, "L'histoire du journalisme en Autriche," *Revue des Deux Mondes*, April 1, 1892, Third Period, 110: 693–704; M. A. Gerothwohl, "The Austro-German Press," *Monthly Review*, May 1902, 7: 71–79.

[65] G. V. Williams, "The German Press Bureau," *Contemporary Review*, March, 1910, 97: 315–325.

The article gives an account of the machinery of the press bureau, including the instructions given the German embassies to forward to it everything concerning Germany.

[66] L. Bamberger, "The German Daily Press," *Nineteenth Century*, January, 1890, 27: 24–37.

The German press on its part also apparently found the press bureau a great convenience; the press was poor—many of its representatives could not afford a modern news service—and it therefore relied on the semi-official news service.[67] News designated as *offizios*, or semi-official, signified "a piece of information proceeding in reality from a government, but not openly given to the world with its authority."[68] But since this service was slow, the foreign office under the Empire had more or less control over the news service. This meant that "the German press has, up to the present time [1890], shown itself to be a strong weapon in the hands of the government rather than in those of any opposition party," and thus "in Germany it is only the government newspapers that enjoy complete freedom." [69]

Much of the news service was received through the Wolff News Agency which bound itself to circulate nothing detrimental to the government, to submit questionable matter to the judgment of the Foreign Office before circulating it at home or dispatching it abroad "and generally to couch the language of its telegrams in accordance with the principles of 'cooking' as understood and practiced in the Imperial *cuisine*." In return, the Wolff Agency received valuable concessions.[70] When therefore the demand was frequently made that the press bureau should be dissolved, it is not strange that a press representative could write "The Press Bureau is so much part and parcel of the public life of Germany that much water will flow under the Spree bridges before it changes its character, still more before it is abolished." [71]

Bismarck had used the press bureau as one great means of bringing about the unification of Germany and the question was apparently not even raised whether or not the end justified the means,—it was assumed that it did. After the accomplishment of this end and the retirement of Bismarck, new influences came in and they found the machinery of the bureau still set up ready for action, but they turned its energies in another direction. Outwardly Germany was at peace with her relatives and her neighbors, but "the campaign against Augusta" that Bismarck had directed Busch to set in motion was bringing results both for Germany and for England. Old hostilities toward England were fanned by the press bureau, misrepresentations of England found their way to Berlin through German correspondents in London and were circulated through the press bureau, the German papers arrived in Russia before the English mails, and thus "the German press invariably addresses itself to its audience across the Eastern frontier and writes on all international affairs for Russian consumption." [72] "If a journalist," continues Austin Harrison, "is instructed to say something about British perfidy, and then writes an article about Britain's rectitude, he may find the workshop closed the next time he applies for admittance."

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[67] G. V. Williams, "The German Press Bureau."

[68] L. Bamberger, "The German Daily Press."

[69] *Id.*

[70] C. Lowe, "The German Newspaper Press," *Nineteenth Century*, December, 1891, 30: 853–871.

[71] G. V. Williams, *op. cit.*

Even earlier, the animosities aroused by the Boer War had been cultivated by the press bureau and a persistent press campaign was carried on in Russia by Germany against England,—"Russia was hypnotized by the German press." [73] "It is only since the Kaiser's telegram to Kruger," wrote an anonymous author, "that they [the English] have evinced a keen interest in the Teutonic Press, and what they have found there is rank hatred of themselves." [74]

So persistent and so effective seemed the work of the press bureau that the English press was roused to action and it invited representatives of the German press to visit England and learn at first hand the admirable traits of the English. The invitation was accepted, an elaborate series of festivities was arranged, mutual felicitations were exchanged at parting, and later a return visit was made by English newspaper men to Germany.

What was the net result of these efforts to counteract the activities of the press bureau against England? In the opinion of the *Spectator* there was only disappointment for those who had hoped for good results from the visit of the German editors, after reading the report given in the *Kölnische Zeitung*. The doubters found confirmation of their doubts in the uneasiness shown by the French, and the *Spectator* considers that this "goes far to justify those who protested against a public reception of the editors, lest the fact of that reception should be disingenuously used in Germany to weaken the *entente* between us and France," and while it had disregarded such protest, "the French *entente* comes first."[75] The *Saturday Review* remarked that at the "dinner professedly given by English journalists in their honour" all the English editors except W. T. Stead and T. P. O'Connor sent deputies, but the guests bravely kept up the affectation of believing that English journalism was present in full force.[76] On the return visit to Germany, the London *Times*, the *Morning Post*, the *Daily Mail*, and some of the leading German newspapers, took no part in the festivities,[77] and while it was ceremoniously described in the English press, it is clear that the entire movement was not only a failure as far as beneficial results were concerned, but it was probably a successful promoter of future troubles.[78]

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[72] Austin Harrison, "The German Press," *North American Review*, August, 1907, 185: 724–736.

[73] "Foreign Complications and the German Press Campaign," *Contemporary Review*, April, 1904, 85: 592–595.

[74] "Julius," "The Anglo-German Paper War," *Contemporary Review*, January, 1905, 87: 11–21.

During this period of practically twenty-five years prior to the war of 1914, the German press bureau had not been visibly working at full speed, but it was apparently perfecting its organization and gathering strength for the great endeavor.[79] With the actual opening of the war, all was in readiness, propaganda became a business in Germany, and plans for influencing public opinion were as calmly discussed as are commercial or industrial enterprises. It was apparently not at all a question of the presentation of facts through propaganda—that indeed is now never the object of propaganda, or it would not be propaganda—but rather of making such a selection of facts, or created material, and of imagined conditions as, placed in conjunction with other minds, would accomplish a desired end. Propaganda became an obsession of the authorities and before the close of the war the demand for a German minister of propaganda was discussed, as was also the difficulty of finding the right person to fill such a position. "The importance of educational and propaganda campaigns is beyond question," said the *Münchener Neueste Nachrichten*,[80] with unconscious discrimination between "education" and "propaganda."

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[75] *Spectator*, June 30, 1906, 96: 1024–1025.

[76] *Saturday Review*, June 30, 1906, 101: 806.

[77] "The Pen and the Sword, Again," *Literary Digest*, June 22, 1907, 34: 985.

[78] Accounts of the affair are given by Friedrich Dernburg, "Germany and England. The Visit of the English Journalists," *Contemporary Review*, June, 1907, 91: 761–766; Sigma, "England and Germany: the *tu quoque* quarrel," *Ib.*, 91: 767–773; S. Low and P. W. Bunting, "The Journalistic Tour in Germany," *Contemporary Review*, July, 1907, 92: 1–15.—*Die Woche* gave a pleasant account of the visit of the editors to Stratford-on-Avon, but was discreetly silent on the significance of the visit. July 7, 1906, 3: 1156.—*The Anglo-German Courier* published a souvenir edition in honor of the visit of the Germans.

[79] An exceptionally complete account of it is given by L. Melville, "German Propagandist Societies," *Quarterly Review*, July, 1918, 230: 70–88.

The work, as set in motion, was carried on in two general fields,—in Germany itself and among neutral countries.

In Germany, the direction given it was along three main lines,—disparagement and hatred of the enemy; the superiority of German culture; and the success of Pan-Germanism. The merits of general hate were extolled, the sacredness of hate proclaimed, and the special virtues of hatred towards England were magnified.[81] But voices on the other side were sometimes heard.[82]

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[80] Cited by the *Berliner Tageblatt*, August 20, 1918. C.

[81] The Hamburgische Kolonialinstitut issued in various languages a series of leaflets called *German War News*. The first number announced, "The whole indignation of our nation is directed against the unworthy hypocrisy of kindred England."—English Version, October 14, 1914. The eight numbers examined are filled with expressions of hatred of England, and with praise of Germany's "cultural task of the highest order in Belgium."—No. 15, p. 232.

M. A. Morrison, *Sidelights on Germany*, gives a section on "Hate" and its accompanying virtues (pp. 29–40). He cites among others these commendations: "Educate to Hate! Educate to reverence Hate! Educate to love Hate! Away with the false fear of brutality and fanaticism! We must not hesitate blasphemously to announce, 'And now abideth faith, hope, and Hate, these three; but the greatest of these is Hate'."—Dr. Fuchs, in *Münchener Medizinische Woche*, n. d.

The *Vossische Zeitung* preached hatred of England; the *Hamburger Nachrichten* published an article on "Sacred Hate" (especially of England); the *Deutsche Tageszeitung* also proclaimed the "Sacredness of Hate" and

For footnote 82 see p. 337

The means by which the propaganda was carried on were the press in all of its parts,—news columns, editorials, correspondence, advertisements, the foreign language press, and a "Central Press Bureau of the German Press" whose business it was "to supply news and editorials to the provincial editors, and even, if need be, an entire newspaper, lacking only the heading and local items."[83] This press bureau had been arranged by von Loebell, the Prussian Minister of the Interior, for reasons given

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urges "Strong hatred, not petty malice, has God for its source. In order really to love the good, we must burn with anger against the bad. Love is the outcome of hate; grows out of it. If you choke hate you wither love. And God desires we both love and hate;" the *Kölnische Volkszeitung* preached the "Kultur Value" of the war and said that the war had become for Germany a great moral regenerator; the *Hamburger Fremdenblatt* published a selection of "golden sayings" in praise of war as a national purifier.

J. P. Jones and P. M. Hollister, in *The German Secret Service in America*, "The Public Mind," pp. 225–251, give information in regard to the machinery of the press bureau.

A lieutenant wrote the *Hanover Advertiser* from the front: "As a good Hanoverian I send you from French soil the heartiest, true-German greeting: 'GOD PUNISH ENGLAND!' 'MAY HE PUNISH HER!' That is the new greeting of our troops. Everywhere here, when an officer or private enters a room he does not say 'Good day,' or even 'Adieu' when he goes out, but 'God Punish England!' and the answer, 'May He punish her!' Oh, it is pleasant to German ears."—*Norddeutsche Allgemeine Zeitung*, December 5, 1914, cited in A. L. Gowans, *A Month's German Newspapers*, pp. 89–90.

"When the teacher [of a village school] approached the schoolhouse on Monday, a mysterious silence prevailed, so that he thought none of his children had come to be taught that day. But, when he opened the schoolroom-doors, a roar of 'God punish England' met his ears from one hundred and thirty throats as a morning greeting."—*Frankfurter Zeitung*, December 17, 1914, cited in Gowans, p. 179.

See also citations given in "The Real Antagonists," Philadelphia *North American*, November 11, 1914.

[82] An article in *Ethical Culture* said: "The aim of this war must be for us to prevent its repetition. Nevertheless, that can not be done by weapons only: even before the conclusion of peace, policy and press, diplomacy and public opinion must prepare themselves to pave the way for conditions which should make it possible for the nations now at war to live side by side."

The *Berliner Tageblatt* in quoting the article comments: "It is folly and a crime to try to stir up national hatred, which is a necessary accompanying phenomenon of war, any further."—December 16, 1914, cited in Gowans, p. 170.

[83] J. W. Gerard gives a facsimile reproduction of a multigraph set of instructions sent out by the German press bureau to the newspapers to enable them to write up a recent Zeppelin raid on London. "The instructions warn them that their account must not read like a reprint, but must seem to have been written independently."—*My Four Years in Germany*, pp. 442–443.

in a confidential letter sent out to the higher officials under his jurisdiction. "The great and manifold domestic problems," he writes, "which will have to be solved after the war demand on the part of the authorities the cultivation of special relations with the press, an increased attention to journalistic tendencies and views, and a more intense effort to gain wherever possible, influence over its attitude. This applies more particularly to the little district and communal papers whose attitude is of preponderating importance in shaping the sentiments of the country and determining the outcome of future elections." [84]

The method by which, before the war, the way had been paved for the press for this effort "to gain influence over its attitude" is amply illustrated by the *Bayerischer Staatszeitung*. This had been started by the Bavarian government to mold public opinion and to give greater publicity to the views of the Diet. Its subscribers were dictated by law and they included all urban and rural district councils, parish councils, and charitable schools. If subscription was refused, a fine slightly more than the cost of subscription was imposed. Since the *Staatszeitung* had the monopoly of all sources of information concerning state affairs, subscription was Hobson's choice.[85]

Closely allied with the work of the press bureau as an instrument of propaganda was the work carried on through pulpit,[86] and school,[87] through films,[88] and through all forms of artistic

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[84] "Muzzling the German Press," *Literary Digest*, December 11, 1915, 51: 1344, from *Vorwärts*, n. d.

J. P. Jones and P. M. Hollister in *The German Secret Service in America*, "The Public Mind," pp. 225–251, give an account of the efforts to distribute pro-German material through the press, to buy a press association, to buy a newspaper, to establish a German news syndicate,—all in the effort to put before American readers the cause of Germany.

[85] New York *Tribune*, February 9, 1913.

[86] A sermon, for September 1, 1918, by Pastor Kuntzel, was announced in the organ of the Protestant churches in Breslau on "The Christians at the front in battle against their worst enemy, the black, red, and gold internationals [the international social democrats]." "The Pan-Germans can now rejoice," said the *Berliner Tageblatt*, "that they have also won over the pulpit of the Protestant churches for their poisoning agitation. We should like to suggest another theme for a sermon to Pastor Kuntzel, the sermon on the Mount and the Pan-German Fatherland Party."—August 30, 1918. C.

[87] The *Leipziger Volkszeitung* cited an article from the Leipsic *Teachers' Times* stating that the Fatherland Party had distributed its circulars in

For footnote 88 see p. 339

expression.[89] Although a special discussion of these species of propaganda seems not germane to the subject, it is necessary to understanding that there was the interlocking relationship among all these forms of influence controlled by authority.

The propaganda carried on by Germany extended to a score of countries outside of Germany and it was reduced to a science.

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the schools and had sent out illustrated placards to be passed from class to class, and that such measures had been encouraged by the higher officials.—March 16, 1918. C.

Vorwärts describes a circular passed about in several public schools in the interests of a war loan. It represented a conversation between a soldier and his uncle, working at a turning lathe, who refuses to subscribe to the loan because he believes the war is exclusively in the interests of the rich, but the nephew converts him. *Vorwärts* remarks that "such a prejudiced and primitive presentation of the reasons for the war will be regarded by the working people as an insult."—September 10, 1918. C.

Conrad Haenisch said that the propaganda conducted in the schools in favor of the war and against all efforts to obtain peace had become a public scandal.—*Vorwärts*, September 26, 1918. C.

The *Berliner Tageblatt* had an article on "Pan-German Propaganda in the Schools," and gives three circulars distributed, together with the unfavorable comment of *Vorwärts*.—August 27, 28, 1918. C.

The *Frankfurter Zeitung* published two letters describing the Pan-German propaganda in the schools and the churches and stating that thirteen Pan-German circulars had been thus distributed.—September 5, 1918. C.

[88] *Vorwärts* protested against the plan of the Government to promote propaganda through films, and comments, "Evidently the Government intends to employ the moving picture theater as an instrument for controlling public opinion."—June 15, 1918. C.

The *Münchener Post* repeats in substance the same charges against the project as those already quoted from *Vorwärts*.—June 18, 1918. C.

The *Frankfurter Zeitung* says of the film monopoly in Germany, "The Ufa is the universal film corporation with 25,000,000 marks capital and among its founders are the German Bank, the Hamburg-American Steamship Company, the North German Lloyd, and the General Electric Company. The prospectus of the Company asserts that one of its duties is to free the German moving picture business from pernicious foreign influences. The suspicion arises, however, that certain government circles desire to favor this company and to give it a practical monopoly of the business, a monopoly that would extend to creating public opinion, as well as to enriching the pockets of the shareholders."—July 25, 1918. C.

[89] The *Frankfurter Zeitung* gives the observations of a German detained in Switzerland as a result of the war. He comments on the propaganda carried on there by the Germans and says, "Our propaganda has been directed from the artistic side,"—German orchestras, the best directors, famous actors and actresses, German paintings, were all pressed into service. The political and moral results were, however, practically *nil*. The correspondent pertinently asks, "Can a man hostile to Germany be induced to love its government by the presentation of a German opera?"—August 16, 1918. C.

The official propaganda was carried on not only through the agencies long in existence but these were greatly enlarged and extended and the various departments of government, as those of the foreign office, the war office, and the admiralty, each had a special section for this purpose.[90] It was thus through the special Press Department for Influencing Neutral Countries, that the work was conducted.

Special editions of important German newspapers were issued, including one for foreign circulation, and many of these were distributed gratuitously with the evident object of stirring up hatred against England and creating friendship for Germany; the *Berliner Tageblatt* had a special daily edition for distribution outside of Germany; the *Kölnische Zeitung* had a special edition for circulation among foreigners; the *Hamburger Fremdenblatt* published an illustrated edition in German, Dutch, English, French, Spanish, Portuguese, and Arabic.[91]

An extensive propaganda was carried on through the Russian press throughout the war.[92] The special means used among Russian prisoners was an illustrated paper printed in the Russian language. This was circulated in all prison camps, barracks, and in the Russian army. "Its tenor [was] always the same—German strength and prosperity, Russian weakness in the field and at home." [93] Its origin was indicated by the business address of a Berlin printing house printed at the bottom of the last page of the paper.[94] A host of mushroom journals was established in Russia with syndicated articles, all the work of Germans, giving an unfavorable impression of the Russians in America.[95]

In Roumania the charge was made by a Roumanian journalist that the Germans had spent thirty-six million francs in propaganda in that country, including the establishment of several newspapers, and the purchase of others.[96]

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[90] L. Melville, "German Propagandist Societies," *Quarterly Review*, July, 1918, 230: 70–88.—This gives an elaborate account of the perfection reached in the organization of these societies.

[91] C. Herbiet, "L'Allemagne et les Neutres," *Revue de Hollande*, March-April, 1916, 2: 1179–1198.

[92] Gregor Alexinsky, *Russia and the Great War*, pp. 271–276.

[93] New York *Times*, March 10, 1918.

[94] New York *Tribune*, March 10, 1918.

[95] Charles Johnson, New York *Times*, June 24, 1917.

[96] New York *Tribune*, December 24, 1917—This article was based on a

Holland as a neutral country was also a fertile field for propaganda. Press bureaus were established there by Germany;[97] the editor of *Tyd* said that at the beginning of the war the proposal was made to it from the German side that it should publish German reports and be paid for so doing;[98] a new weekly, *De Toekomst*, with professedly pro-German sympathies, was started in Rotterdam with German aid.[99] *Vorwärts* printed letters exchanged between the officials of the League for the Protection of William II. One of them referred to a remittance of twenty thousand marks to Holland for the purpose of "cultivating" the Dutch press.[100]

The propaganda in other neutral countries took the form of affording every opportunity to war correspondents to visit the front and to set forth the cause of Germany to the world. In the case of Sven Hedin, representing Sweden, the six weeks' tour of the entire German frontier in Belgium and France had, in the words of *The Nation*, "something of the character of a state procession,"[101] and the resulting account was facetiously termed "war correspondence de luxe." His book, *With the German Armies in the West*, as was obviously the intention of those who made its writing possible, is a panegyric of the Emperor William and of all things German, but the somewhat naïve, exuberant accounts have a unique value for the student of history in the disclosures they unconsciously make of the war aims of Germany and of the long and elaborate preparations made for war.[102] It

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series of letters first published in the Paris *Journal*. They were written by Constantin Mille, "Roumania's foremost journalist" and deputy for Bucharest in the National Parliament.

[97] New York *Times*, September 9, 1914.

[98] New York *Times*, December 28, 1914.

[99] A. J. Barnouw, "The German Press in Holland," *The Nation*, May 6, 1915, 100: 489–490.

[100] New York *Times*, June 14, 1919.

[101] *The Nation*, June 17, 1915, 100:686–687.

[102] Germany "during the decades of peace has armed itself to the teeth." P. 9.

On the way to Sedan, he describes the lines of communication from Germany to the front and adds: "As far as possible, the functions in connection herewith must be planned in peace time." P. 141.

"What would life be worth as long as the dear Fatherland was not free and great and powerful!" P. 46.

Early in the trip Sven Hedin writes at Wittenberg: "They are Teutons, they were not born to be conquered by Slavs and Latins. Their forefathers must have been understood in advance that part of the price to be paid for the opportunity was the denunciation of the English,[103] and commiseration for France and Belgium,[104] as well as glorification of Germany.[105]

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were described by Tacitus, and they fought and conquered in the Teutoberger Wald. Now it is the descendants of the old Teutons who are gathered under the German eagles to struggle for freedom between the Rhine and the Vistula, and far beyond the valleys of the great rivers. It is a dangerous game to trifle with the eagle, for he may leave his nest and spread his wings for flight. But Germany's fateful hour has now struck, and the moment has come for the Teutons to assert themselves and to lay the foundations for an assured future." Pp. 20–21.

[103] Hedin speaks constantly of "the English mercenaries," and says that "the German Army is one homogeneous whole and pure in race, whilst the French Army is reinforced with Englishmen and a whole colour-scheme of imported heathens." P. 17.

He says that the letters of the German soldiers "speak with good-nature of the Frenchmen as courteous and honest soldiers, but of the English with glowing hatred." P. 24.

In speaking of the French, Belgian, and Turcos prisoners he writes, "there were no other specimens from the ethnological colour-box at Döberitz." P. 382.

[104] At Eclisfontaine he writes: "Surely it is not an unkindly thought towards France to strongly condemn the policy which has brought such nameless misfortune over the northeastern portions of the republic." P. 95.

"Nevertheless one feels greater pity still for the Belgians who have been left in the lurch by their great tempters and 'protectors,' and who have lost their country and their independence. After all it is best to stand on one's own legs and to follow the watchword of the boy scout: 'Be prepared.' " P. 258.

"It had not been beneficial for France, I said, to invest thousands upon thousands of millions of francs in a country whose aid failed just at the moment when it was most needed. If I did not admire France and love her intelligent, industrious, thrifty and patriotic people I might have rejoiced at a diplomacy which had brought about such calamities as the present; as it was, I was grieved at a policy from which no good could ever come." P. 303.

[105] "No era has ever witnessed such national greatness as that attained by the German nation at the present day. It is an uplifting experience to have seen the Germans in their sublime struggle, and one which can never be forgotten by those who have been with them in this time." P. 309.

Since the sale and the circulation of this work were prohibited during the war and it is now for the most part forgotten, it seems necessary to give these citations from it as they are the best illustrations available of the extent and character of German propaganda in 1914.—Sven Hedin also includes the "Introduction" to *Deutschland im Waffen*, a collection of reading matter and illustrations relating to the German army and navy, "produced by the Crown Prince with the assistance of eminent experts," and dedicated to the Emperor. The "Introduction" was written by the Crown Prince and a significant passage follows:

"Doubtless diplomatic skill can and will, for some time to come, defer conflicts and even dissolve them. Those called upon in the solemn hour of

Similar tactics were used with the journalists of other neutral countries and an interesting account has been given of the efforts made by the Germans to show the prosperity of Alsace under the rule of Germany.[106]

The work of the press bureau among the Italians also early took the form of showing marked favor to its newspaper representatives. The press gave circulation, in November, 1914, to the dispatch sent the London *Daily News* stating that *Il Messaggero*[107] reported from Rome that the Italian journalists then touring the German battlefields were being personally conducted by a German diplomat, were traveling free of expense, and were receiving ten dollars each per day, and promised four hundred dollars each at the conclusion of the trip. Color to the charge was given when in March, 1915, *Il Secolo*[108] and *Il Popolo*

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decision must and will surely be fully conscious of their terrible responsibility. They will feel it their duty to make it clear to themselves that once the match has been applied to the gigantic conflagration, it will be no easy and no speedy task to quench it. But, as the lightning equalises the tension between two air strata of different charge, so will the sword, until the world comes to an end, be and remain the deciding factor. And therefore everyone who loves his country and who believes in the great future of our people must gladly and readily do all in his power to guard the old soldierly spirit of our ancestors from decadence and from the sickly taint of thought. The sword itself is not enough, it needs the practised steel-clad arm to wield it. Every man amongst us must keep fit for service in our army and navy and must in heart and soul be ready for the great and solemn hour when our Emperor calls us to the colours, from the moment when we no longer belong to ourselves but to the country only with the whole of our bodily and spiritual strength—the time when all these qualities must be strained to the uttermost to attain the 'will to conquer' which in all history has never been known to fail. If thus the entire German people is resolved gladly to adventure its life blood and all that it holds dear, it matters little if the world is 'filled with the legions of darkness' armed against us, for we shall know how to stand up against it, however great be the distress of the moment." Pp. 78–79.

[106] *Comment les Allemands font voir l'Alsace aux Journalistes "Neutres,"* (La Vérité sur l'Alsace-Lorraine). Leaflet, n.d.

[107] "*Messaggero.*—Radical; anti-Clerical. Was owned by Pontremoli's syndicate (Società Editoriale Italiana), which also owns the *Secolo* (Milan). For foreign news it used to be mainly a reprint of the *Secolo*, but now has begun to establish foreign services of its own, particularly from London and New York. Prints many articles from Radical and Socialist leaders in Rome. Friendly to England, but above all, pro-French. Printed articles advocating sending Italian troops to Verdun in 1916."—"Guide to the Foreign Press: Italy," *The New Europe*, April 18, 1918, 7: 19–24.

[108] "*Secolo.*—Very important Radical paper. Admirable news service. Pro-Ally, and traditionally pro-French. Defends England's war aims. Conciliatory toward Jugo-slavs and Venizelos. Writes idealistically about

d'Italia[109] were acquitted in a libel suit brought by an Italian journalist whom they had charged with receiving money from the German Government during the visit of the Italian journalists to Germany in November, 1914.[110]

The close proximity of the Italian frontier made possible other forms of propaganda. A facsimile of a local Italian paper, "so adroitly done as to defy detection" was circulated among the Italian troops near the border. It reported serious reverses of the Allies on the West, peace made with Russia, U-boat successes against England, and the impossibility of America being able to send troops to France before 1919.[111] Circulars and proclamations were distributed by aeroplanes over the Italian trenches, they were rolled down mountain slopes, and they were sealed in bottles and floated down rivers and on lakes.[112] Early in the war the *Berliner Tageblatt* printed a special Italian sheet that was widely circulated in Rome, its alleged object being to supply Italians with war news from the German standpoint.[113]

The propaganda carried on by Germany in different countries took on a different character in each, and was adapted to local conditions. In China, commercial agents, apparently well supplied with money, stirred up dissensions in the interior and reported that the war was one of religions, intended to eliminate Turkey and Mohammedanism, and these rumors were spread

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Allies and small nations, and has always been the protagonist of the European war as against the Italian war. Managing Director: Pontremoli (head of the syndicate which also controls *Messaggero*, *Giornale del Mattino* and other papers). Editor: Mario Borsa, well known as a warm friend of Great Britain; leader-writer, Pio Schinetti, Republican, philhellene, one of the ablest political writers and brilliant polemicist. Rome leader-writer: Cassola. Chief correspondents: Campolonghi (Paris); Chiesi (London); Giudici (Zürich). Has an arrangement for telegraphic copy with *Petit Parisien* and with the *Daily Chronicle*."—"Guide to the Foreign Press: Italy," *The New Europe*, April 18, 1918, 7, 19–24.

[109] "*Popolo d'Italia.*—Dissentient Socialist organ, in favour of the war, and by far the most violent of the 'Interventionist' group. Extremely anti-Clerical, but even more bitter against Socialist Neutralists. Very informative about internal questions. Founder: Mussolini (on active service); Rome correspondent and leader-writer: Francesco Paoloni."—*The New Europe*, "Guide to the Foreign Press: Italy, "April 18, 1918, 7, 19–24.

[110] Cable dispatch from Milan, March 25, 1915, New York *Sun*, March 26, 1915.

[111] C. Whitney, in New York *Tribune*, February 3, 1918.

[112] New York *Tribune*, February 20, 1918.

[113] New York *Tribune*, September 3, 1914.

through the press.[114] In Mexico, newspapers were subsidized,[115] and animosity towards America was fomented by belittling America and reporting the exodus of Mexican citizens from America into Mexico as due to the policy of conscription. This feeling fostered among the more conservative elements of society had its counterpart in the propaganda, among the poorer and more ignorant classes, that featured in flaming headlines fantastic stories of the bombardment of American ports and the sinking of the entire American and British fleets.[116] All through Latin-America—in Chile, Venezuela, in Brazil, and in other states of Central America and of South America—the same policy was followed.[117] Porto Rico was for a time used as a distributing point for pro-German propaganda throughout the West Indies, Central America, and South America.[118] In Spain, the news service was believed to be controlled by German agents and hence war reports to be distorted in favor of the Central Powers.[119] Both in America and in Ireland antipathy to England was assiduously cultivated.[120]

The position of tri-lingual Switzerland was especially difficult since Germany attempted to use the country as a base for the distribution of propaganda, and the collection of material for it. Early in 1917 the Germans were reported from Berne to be spending hundreds of thousands of marks, to have a large staff of officers and men, and to be constantly changing their system of propaganda,—all to make a favorable impression on public opinion in neutral countries.[121] They acquired several papers published in the German language and one in French; started news agencies; established a nominally neutral news bureau;[122]

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[114] New York *Evening Post*, October 16, 1917.

[115] New York *Tribune*, March 14, 1917.

[116] New York *Tribune*, August 23, 1917; R. de Zayas Enriquez, in New York *Times*, July 14, 1918.

[117] New York *Tribune*, June 30, October 30, 1917; New York *Times*, June 17, 1918; New York *Evening Post*, August 14, 1918.

[118] New York *Tribune*, January 31, 1918.

[119] New York *Times*, June 1, 1918.

[120] The statement is made that Germany financed the Irish-American organizations that began as far back as 1909 to combat the movement to celebrate the hundred years of peace between Great Britain and America.—New York *Evening Post*, October 11, 1917.

[121] New York *Tribune*, February 20, 1917.

[122] New York *Tribune*, November 11, 1917.

published a one-page newspaper that received news from Berlin by special wire at great expense and offered it free to Swiss papers;[123] placed advertisements of German firms in Swiss papers; offered generous rates of payment on condition that these papers print pro-German articles supplied them; gave them useful suggestions in the line of economy; supplied news copy; and in many other ways attempted not only to circulate propaganda but to establish a direct control over the Swiss press.[124]

It was not alone from Germany that these influences came. Germany set an example and numerous other foreign press bureaus were created in Switzerland after the war began and these also offered without compensation much valuable information, entertaining articles, and one-sided special articles. These press bureaus represented in the main the interests of oppressed nationalities that operated in neutral countries because they could not get an audience in their own or in belligerent countries. In Switzerland, Polish, Ukrainian, Lithuanian, Jewish, and Lett press bureaus were all established; and small Albanian, Egyptian, and Greek newspapers were published there. Foreign embassies also had press agencies more open to suspicion than these bureaus. It was rumored, from a German source, that the "Russian Correspondent" had some connection with the Russian embassy and that British correspondents secured information from the British embassy in Berne. Special causes were represented by the "Agence balcanique," and the "Agence de la presse de Salonique." The conclusion, however, did not necessarily follow that such connection was altogether illegitimate since foreign embassies have always been frequented by press correspondents,—the suspicion was an inevitable sequence of the war.[125]

These efforts were all apparently unavailing since Switzerland realized that not only its neutrality but its independence was at stake.[126] Its resistance to temptation won the admiration even of the tempter. The *Europäische Staats- und Wirtschafts Zeitung* expressed its approval in saying "The Swiss press is entitled to the credit of being incorruptible. This has always been the case and remains so, although the war and the increasing importance of the neutral press have brought many temptations with them." But it could not withhold its surprise that the Swiss press had maintained its independence and had not been more amenable to foreign influence.[127]

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[123] New York *Tribune*, October 17, 1914.

[124] New York *Times*, May 30, 1918, November 3, 1918; Madame Picard in New York *Tribune*, November 16, 1914.

[125] *Europäische Staats- und Wirtschafts Zeitung*, October 13, 1917. C.

[126] F. Bohn, in New York *Times*, June 9, 1918.

In dealing with the affairs in Servia, chronology was pressed into the service of the press bureau and the old-style date was used for the telegram sent by the Czar to the Crown Prince of Servia. The telegram gave Servia the assurance that Russia would not remain indifferent to its fate, while expressing the conviction that Servia would co-operate with Russia in attempting to avert the horrors of war. As published in the *Hamburger Nachrichten*, with the omission of the new-style date, the impression was given that Russia was stirring up Servian feeling ten days before the Austrian ultimatum was sent Servia.[128]

The existence of propaganda, and the part that it had taken in the situations that led up to the war, was officially recognized in the communications that passed between Austria and Servia. In its note to Servia, July 23, 1914, the Austro-Hungarian Government demanded that the Servian Government should publish on the front page of its official journal July 13/26 the statement that it condemned any propaganda aimed against Austria-Hungary, and it demanded furthermore that the Servian Government should engage "to forbid every publication that arouses hatred and contempt of the Monarchy, and whose general tendency is directed against the territorial integrity of the Monarchy." [129]

Servia accepted the first demand but explained that it could not be made responsible for manifestations of a private character, such as articles in newspapers and acts of societies, manifestations that were taking place in almost every country as an ordinary thing and that did not come generally under official control. Servia, however, promised that it would undertake "to introduce during the first regular convocation of the Skupshtina an amendment to the law of the press providing the most severe penalties for incitement to hatred or contempt of the Austro-Hungarian Monarchy, and for any publication whose general tendency is directed against the territorial integrity of Austria-Hungary. The Government pledges itself at the time of the revision of the Constitution, in the near future, to introduce into Article 22 of the Constitution an amendment providing for the confiscation of such publications, an act impossible at present under the categorical terms of Article 22 of the Constitution."[130]

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[127] *Europäische Staats- und Wirtschafts Zeitung*, October 13, 1917. C. This paper states that country papers that had an inadequate staff often did take the material offered.

In some minor ways the Swiss press profited through the war. The press of the French cantons gained "thousands of subscribers" in consequence of the French censorship.—*Id.*

[128] V. Chirol, on activities of the German press bureau, New York *Times*, September 6, 1914.

[129] Austrian *Red Book*, No. 7; Servian *Blue Book*, No. 32.

This concession in regard to the press seemed to be all that could even unreasonably be demanded of an inferior power by a haughty government, but this was by no means all of the difficulty that Servia suffered at the hands of Austria.[131] The affair of Serajevo seemed to be developing normally until a change was noticed early in July, 1914, when the newspapers of Vienna and Budapest, following the instructions of the Press Bureau of the Ministry of Foreign Affairs, suspended the publication of news of the inquiry concerning the crime of Serajevo and began to represent the whole affair as a question to be settled between Servia and Austria-Hungary eventually by force of arms. The ultimate responsibility of the government in thus abetting war through its press bureau could scarcely seem more indisputable.

In Belgium, efforts were made by Germany through propaganda of every kind to break up the country into Wallonia and Flanders, on the plea that the Walloons were an oppressed nationality. But that the principle behind it was in effect the old Roman one of "divide and conquer" was evident from a statement of the *Deutsche Tageszeitung* that "the only advantageous solution of the Belgian question lies in the German mastery of the country, and in the separation of the people into two self-governing but in certain points not independent States, of Flanders and Wallonia." [132]

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[130] Austrian *Red Book*, No. 25; Servian *Blue Book*, No. 39.

[131] The difficulties in regard to the press are set forth at length in the Servian *Blue Book*, No. 52.

Complaints that the Servian press had long been active against Austria-Hungary are given in the Austrian *Red Book*, Nos. 8, 19, and in the French *Yellow Book*, No. 75.

No country complained of the propaganda of others more bitterly than did Germany itself,—perhaps unconscious of its own part in developing it in recent years. The *Hamburger Nachrichten*, for example, protested vigorously against the Entente propaganda found everywhere, it believed, in the East,[133] while Herr Heckscher, the head of the publicity department of the Hamburg-American line, protested to the *Vossische Zeitung* against American propaganda in Germany, saying that the censorship of the press was of little use if the German people were to be thus contaminated. "We try to shut our country off from enemy espionage and from the work of agents and rascals, but with open eyes we leave it defenceless while a stream of poisonous speeches pours over our people." [134] *Vorwärts* quoted the proclamation of von Hindenburg against the handbills distributed by hostile aeroplanes in which he announced with evident pride, "Our soldiers have delivered to the authorities the following numbers of hostile handbills: In May, 84,000; in June, 120,000; in July, 300,000,—in the last month, 10,000 poisonous darts fell daily among our troops and our civilian population." He had evidently read enough to note that the contents of these circulars concerned the good treatment of German prisoners in France; that they extolled the achievements of the Allies and predicted the future ruin of Germany; that they assured the Germans that their government was wrongly constituted, and that they should fight against the Hohenzollerns and capitalism; and that they incited the Bavarians against North Germany.[135]

The war produced in every country a mania for propaganda and the rapid development of aerial flight gave it an additional impetus. Its character is well illustrated by one of the appeals distributed by a squadron of Italian aeroplanes flying over Vienna. The text read:

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[132] *Deutsche Tageszeitung*, February 26, 1918. C.

[133] *Hamburger Nachrichten*, September 8, 1918. C.

[134] *The Bellman*, October 26, 1918.

[135] *Vorwärts*, September 5, 1918. C.

"People of Vienna!

Learn to know the Italians.

If we wished we might drop tons of bombs upon your city but we send you merely a greeting of the tricolor of freedom. We Italians do not make war upon citizens, children, old men and women. We make war upon your government which is the enemy of national freedom . . . upon your blind, pig-headed, cruel government which is unable to give you either bread or peace and can feed you only with hatred and lying hopes.

People of Vienna!

They say you are an intelligent people, but since you have donned the Prussian uniform, you have sunk to the level of a Berlin blockhead and the whole world has turned against you.

Do you wish to continue the war? Do so if you wish to commit suicide! What do you hope for? The final victory which the Prussian Generals promise you?

Your final victory is like bread from the Ukraine. You wait for it and starve before it comes.

Citizens of Vienna! See what awaits you and wake up!

Long live freedom!

Long live Italy!

Long live the Entente!"[136]

To what extent the mutual recriminations of different countries was a case of "the pot calling the kettle black," it is difficult to determine with scientific exactness. The *Times* had long before protested that "the German government has made use of the press perhaps more than has any other belligerent government, employing it to spread propaganda in neutral countries, to direct opinion, and to sustain the national morale, and has caused it to be maintained at the highest point of efficiency so as to be ready to serve the German cause when peace is concluded."[137]

But differences in methods of work were obvious. In Germany the General Staff established a department for the dissemination of false news, and the suppression of accurate news was intended to prevent useful information from reaching the enemy and also to avoid depressing Germany.[138] From the beginning of the war it was the evident purpose of Germany to make the most of publicity; while other countries suppressed news as a means of winning the war, Germany used publicity for the same end.[139] In the beginning "the German newspapers did not fail to contribute as much as possible to the impression that Germany was attacked," but lack of cooperation among them made it possible to expose the falseness of some charges.[140] The instructions given later by the General Staff were to represent American intervention as negligible and German success as assured,[141] and a press bureau was to be established for every Government department.[142]

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[136] *Reichspost*, August 10, 1918. C.
[137] New York *Times*, July 4, 1917.
[138] New York *Tribune*, August 10, 1914.

The armistice and the change in form of government changed the source and therefore the direction of propaganda; as far as the dominant party was concerned the propaganda as such apparently ceased. "An Appeal to the German People" issued by the Council of Representatives stated that the new government had ordained the abolition of the censorship and guaranteed freedom of speech whether orally or in writing.[143] Open advice rather than propaganda led the evangelical clergymen of Frankfort to address to the members of their congregations a "Declaration respecting internal conditions." Its tenor was to exhort them to support the new institutions being established, retaining the good things from the old and accepting the new conditions demanded by the times.[144]

But the cessation of the war held little promise of cessation of propaganda in other countries, although its sphere of influence might be changed. The *Tägliche Rundschau* realized that the work of German journalists in other countries would not be easy since, it believed, it would be hindered by open and secret opposition. One of their first duties would therefore be to find out those items of interest which the principal news agencies of the countries where they are do not wish to see circulated in Germany. It will be the duty of the German journalist, living in these countries, the *Rundschau* warns, to fix his closest attention on all these movements, to follow every kind of veiled or open attack on German influence abroad, and to send home faithful and minute reports. He must be guided by the principle that every other German settled in the country where he is is his natural ally and fellow-worker, since from these he can get many useful hints regarding the attitude assumed by natives towards Germany and the German cause.[145]

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[139] New York *Evening Post*, June 8, 1917.
[140] D. J. Hill, *Impressions of the Kaiser*, pp. 352–353.
[141] New York *Evening Post*, June 16, 1917.
[142] New York *Times*, September 6, 1917.
[143] *Vorwärts*, November 13, 1918. C.
[144] Advertisement in *Frankfurter Zeitung*, November 19, 1918. C.

It had indeed been evident that throughout the war the direction of propaganda both in neutral countries and in Germany itself was gradually changing. Early in the war there had been the cheering reports that "enlightenment-work" was causing America to veer towards Germany,[146] but the exposure in America of the propagandist methods of Germany and her entrance into the war practically eliminated America as a hopeful field in which to carry it on longer. Opinion in Spain was also reported as "veering round strongly in favor of Germany," [147] but Spain had remained neutral. Since Italy had been a member of the Triple Alliance, Germany had hoped that propaganda in Italy would save the country for the Central Powers,[148] but Italy had joined the Allies. Even long before that, the failure of propaganda in that country had been recognized, although its failure was attributed not to the methods employed, but to the perversity of the Italian mind in refusing "under any circumstances to be enlightened in favor of us [Germany]." [149]

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[145] Cited by the New York *Evening Post*, June 29, 1916.

[146] *Norddeutsche Allgemeine Zeitung*, December 1, 1914, cited by A. L. Gowans, *A Month's German Newspapers*, pp. 9–10; other papers and opinions are cited, pp. 161–164, 190–194.

[147] A. L. Gowans, pp. 10–11.

[148] The *Norddeutsche Allgemeine Zeitung*, December 5, 1914, and the *Berliner Tageblatt*, December 6, 1914, had both praised the independent attitude of Italy.—A. L. Gowans, pp. 83–84, 97–101.

[149] "He, who is able to observe and examine public opinion in Italy from day to day, arrives infallibly at the conviction, that the manifold endeavours which are made in Germany to enlighten our neutral allies attain only very slight success, and in most cases either remain quite futile or even result in doing us harm."

The unwillingness of the Italians to be enlightened was shown when they accepted "with joy" German war photographs provided with Italian text, ready to print, and intended "to give the Italian reader an appropriate and sympathetic picture of our [German] army and our method of warfare," and then, probably with equal joy but by "wicked deceit," so altered the text as to show the legend "a captured German flying-machine being taken in triumph to Petrograd."—*Kölnische Zeitung*, December 9, 1914, cited in A. L. Gowans, pp. 122–123.

It seemed a losing fight to try to spread culture abroad through propaganda, and efforts were apparently concentrated on Pan-Germanism and the necessity of extending the colonial empire. But unpleasant questions came to be asked in the Reichstag concerning the immense sums being spent by the Pan-Germans in newspaper agitation, their reputed purchase of the *Lokal-Anzeiger*, and the extensive annexationist propaganda material daily sent to German newspapers through the War Press Bureau. Inconvenient curiosity was shown in regard to the source of the funds thus used, as also in regard to the reasons why only views on a von Hindenburg peace were given while the adherents of other schools had no chance to express opinion through the press.[150]

In Germany itself doubts were developing in regard to the righteousness of Germany's cause and the *Berliner Tageblatt* found that "from every circle and class of society there arises more insistently and sharply the question of doubt as to whether our present method of government can endure—that method which has hitherto ruled the German nation in a patriarchical and Olympian manner."[151] In Austria, the *Arbeiter Zeitung* published an article by Count Lützow in which he said: "I am convinced that it is not hatred or revenge which has inspired the outcry to partitioning the monarchy. The primary reason is the feeling which the governing classes of the Entente cherish that the monarchy as now constituted will remain a permanent storm center from which new disturbances will emanate in one direction or another, even against the will of the leading classes of the monarchy."[152] Such doubts could but modify the zeal of authorities in upholding the divine right at home.

As the war dragged on, the courage of the protestants rose and found some means of expression. "A German politician of the citizen class" lamented the prolongation of the war and the supremacy of the militarist party, saying the people must soon choose between war to annihilation or a timely understanding. "It will not be difficult to make a choice," he writes. "All people

[150] New York *Tribune*, June 25, 1917.
[151] *Berliner Tageblatt*, September 16, 1918. C.
[152] *Arbeiter Zeitung*, September 14, 1918. C.

want peace, but they can not express their will. Small but powerful groups in all countries are from selfishness, passion, or fear preventing a discussion which would surely lead to peace. The means used to prevent this discussion is the deluding of their people on the intentions of the enemy. Under present conditions it is not difficult to delude a people. A censorship with conscious, definite tendencies, and a skilful manipulation of the telegraph makes it possible to emphasize the voices of the war agitators in the hostile countries, but not show up the friends of peace." [153]

The conditions under which propaganda was carried on and its inherent weaknesses were disclosed by the publication of Dr. Kurt Mühsam's book, *How We Were Lied To—The Official Deception of the German People.* An extended review of the work was given by *Der Tag,* [154] with the introductory comment that a journalist who was intimate with the mysterious operations of the censorship during the whole four years of the war was in a position to appraise its influence properly. The review by *Der Tag* showed that the book proved that from the beginning of the war to the closing catastrophe, public opinion was systematically misled, and a pernicious influence was wielded through the German press on all parties. The result was exactly the reverse of what was intended; general distrust was created in all the war news and people lost faith in what the newspapers told them. Many of the illustrations given are of subjects forbidden the press, and hence are to be classed under pre-censorship, but the chapter entitled "Work Behind the Scenes" gives documents from the official press conferences,—an institution created in August, 1914. The addresses of different responsible authorities on the basis of reliable stenographic notes and communications, seemed to involve very serious offenses against truth on the part of those who made them. The press were told at one conference "There must be no comment whatever upon any success obtained by our enemy on the Western front. According to reports in Berlin we are fully justified in having unconditional confidence,"—thus "at this session the representative of the General Staff was obliged to deny our reverse at the Marne." At another conference, the instructions were to treat Italy's attitude as exaggerations until Italy actually declared war, and similar uncandid representations were to be made in regard to Roumania and America.

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[153] *Arbeiter Zeitung,* August 27, 1918. C.

[154] *Der Tag,* January 17, 1919. C.

The *Berliner Lokal-Anzeiger* "publishes a kind of critical supplement on six days in the week called *Der Tag* which is an open platform ranging from Free Conservative to Majority Socialist."—"The German Press," *The New Europe,* April 11, 1918, 6: 409-416.

Dissatisfaction had also been expressed in the Reichstag, where debates on the censorship developed much criticism of the Government because it was using the censorship to promote the circulation of articles favoring a particular government programme and preventing the circulation of arguments against that programme.[155] When objection was raised in the Reichstag to the censorship of information concerning strikes in Austria, the Minister of War replied that the reports from Austria were very contradictory and great care had to be taken to prevent local disturbances through the publication of untruthful accounts.[156] In Austria-Hungary there were reports that a German syndicate was getting control of leading papers in Prague and other cities,[157] and these reports were confirmed later.[158]

Only a few months after the war broke out, Karl Lamprecht had lectured in Berlin, less on the iniquity of propaganda in itself than on the errors that the Government had made in giving propaganda the particular direction taken.[159] This failure came to be generally recognized among Germans themselves. "We have no reasons to be surprised to-day," wrote a German correspondent from Switzerland, "that public opinion in Switzerland, which claims to be part of the public opinion of humanity, is constantly setting against us. We ourselves have assisted the natural course of events in that direction."[160] The *Berliner Tageblatt* protested against the demand of the Pan-Germans for a propaganda ministry that in their opinion would "thoroughly overcome all opponents by talking," and said that "in all probability such a measure would only have the contrary result." [161] The *Deutsche Tageszeitung* quoted from Bonar Law a statement that "the Germans make mistakes in all cases in which it is a question of dealing with other men" and adds its agreement in saying, "It is a good characterization of our political successes in this war. But no less does the English judgment hit the nail on the head as far as our propaganda activity is concerned." [162]

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[155] *Norddeutsche Allgemeine Zeitung*, January 23, 1918. C.

[156] *Vossische Zeitung*, January 23, 1918. C.

[157] New York *Tribune*, February 22, 1918.

[158] New York *Times*, April 2, 1918.

[159] The lecture was reported in the New York *Evening Post*, January 26, 1915.

[160] *Frankfurter Zeitung*, August 16, 1918. C.

The final verdict on the results of the German propaganda has probably been given by General von Ludendorff when he recognizes that it was a failure.[163] Yet he later explains why the Germans had no propaganda; why what they had, failed; where the blame for failure lay; and he credits the blame impartially among all parties concerned,—to Chancellor von Bethmann-Hollweg who "refused all my demands;" to the press "only a part of [which] remained true to itself;" to the various press offices "which had no proper organization or control;" to the *bourgeoisie* that "had no sense of its responsibility to the country;" and to the Government that "should have undertaken explanatory propaganda on a large scale among our allies," but it "was lukewarm and doubting." He finds as a result that the propaganda "was like dropping water on a hot stove, and was not of the least importance;" that "the German propaganda kept on its feet only with difficulty; in spite of all its trouble, its achievements, in comparison with its mighty task, were insufficent. We wrought no real effect on the enemy peoples." And he adds that "in neutral countries, and among our allies, too, we achieved nothing important," [164] while he finds a further explanation in that patriotic instruction "was approached in the Reichstag solely from the point of view of narrow party politics, while its real significance was misunderstood." [165]

General von Ludendorff did not fail to discuss with the War Minister "the regrettable phenomena at home" and pointed out that he did not "consider the supervision of the press to be adequate."[166] When in August, 1918, the Chancellor "decided to create a Central Bureau for press and propaganda purposes, both at home and abroad," von Ludendorff regretted that it was attached to the foreign office—"an unhappy appendage devoid of real authority," and he laments that all of his "constant proposals and suggestions, repeated time and time again, both verbally and in writing, for the appointment of an Imperial minister of propaganda, met with no response."[167]

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[161] *Berliner Tageblatt*, August 11, 1918. C.
[162] *Deutsche Tageszeitung*, June 3, 1918. C.
[163] *Ludendorff's Own Story*, I, 360.
[164] *Ib.*, I, 438–455.
[165] *Ib.*, II, 71.

Yet the discouragement and depression of von Ludendorff were due less to the iniquity of propaganda *per se*, than to his constant complaint that the propaganda of the enemy lowered the morale of the army,—"before the enemy propaganda we were like a rabbit before a snake."[168] There was some consolation in the reflection that "the Chancellor was responsible for the maintenance of morale at home. General Headquarters would have been glad to undertake direct counter propaganda, but, in accordance with its duty it always approached the Chancellor and begged him to act."[169]

Doubt of the efficacy of propaganda occasionally cropped out in England. The proposal by the Government to establish a press bureau after the war evoked from the *Daily News* the protest, "We have had to tolerate spoon feeding of the public during the war, but that is no reason why we should permit this form of Prussianism becoming a permanent part of our public life."[170] When Lord Northcliffe accepted the post of Director of Propaganda in Enemy Countries, he announced that he would use the position for the dissemination of full and accurate reports of important speeches and war aims and that the nature of the propaganda would be decided by a representative committee.[171] In the House of Commons Lloyd George was most severely criticized for associating his ministry so closely with newspaper proprietors, but he declared that he had only followed common practice. "In all countries," he asserted, "editors and owners of newspapers have been given official position." Austin Chamberlain in particular criticised in the House of Commons this alliance between the Government and the press, saying, "I tell him [Lloyd George] what everybody is saying—that you can not escape misconception and trouble of this kind as long as you combine in the same person the functions of a director of the press which asserts its independence and a member of the Government who owes loyalty to the Government." [172]

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[166] *Ludendorff's Own Story*, II, 148.

[167] *Ib.*, II, 352.

[168] *Ib.*, I, 427–437.

[169] *Ib.*, I, 438.

[170] Cited by New York *Times*, February 26, 1919.

[171] New York *Times*, February 18, 1918.

But that the alliance between the Government and the press was outwardly satisfactory to both parties was indicated by the mutual felicitations exchanged between the Prime Minister and Lord Northcliffe when the armistice automatically brought to a close the work of propaganda in enemy countries.[173] The work of Crewe House was continued scarcely nine months, but during that time it had carried on elaborate operations against Austria-Hungary where Crewe House felt that it "had every reason to be proud of the success of its work," and that "the result was the greatest victory achieved by war propaganda." [174] Operations against Germany prior to the opening of Crewe House included the distribution of leaflets prepared from suppressed editions of German newspapers and pamphlets; the distribution of a weekly news sheet for circulation among the French and Belgian inhabitants of occupied districts; later, under Crewe House, the distribution to Swiss and Scandinavian newspapers of a series of "London Letters" "purporting to be written with a pro-German flavour, but containing, under this disguise, a true picture of food and other conditions in Great Britain;" and apparently every variety of propaganda that human ingenuity could devise, while always "the propaganda pill was coated to make it attractive." [175] But its own verdict in regard to its

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[172] New York *Evening Post*, March 15, 1918.

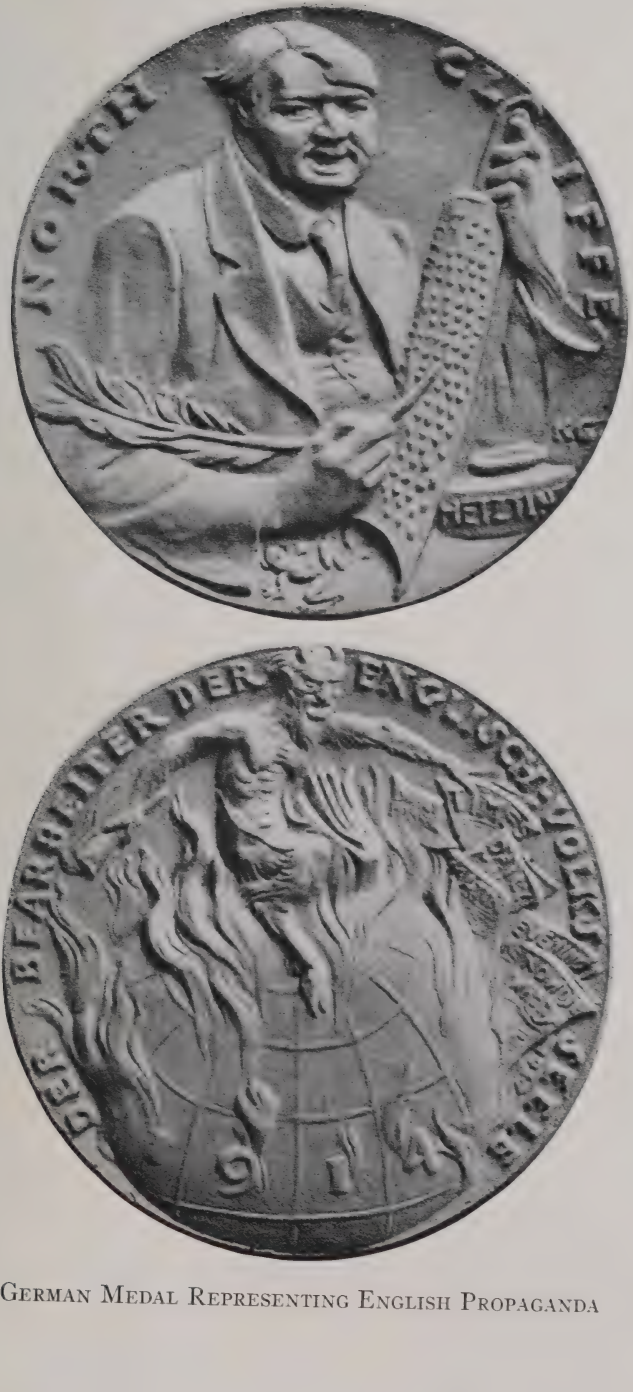
[173] Campbell Stuart, *Secrets of Crewe House*, pp. 232–236.

There was, however, much restlessness on the part of Crewe House on account of the instructions given by the British authorities that the use of aeroplanes for distributing its propaganda should be discontinued. See, *e. g.*, pp. 54, 95.

[174] *Ib.*, pp. 48, 94.

[175] *Ib.*, pp. 53, 99, 100.

The Appendix gives translations of nineteen leaflets distributed among the Germans, their allies, and neutrals. Pp. 237–252.—An interesting illustration is given showing an air photograph of leaflets dropping on Vienna from an Italian aeroplane squadron. Between pp. 176–177.


NORTHCLIFFE
DER BEARBEITER DER ENGLISCHEN VOLKSSEELE
914

German Medal Representing English Propaganda

achievements was not the final word in regard to the success of the press bureau in England.

The most difficult question that presents itself to the historian is indeed to determine how far propaganda in all its forms enters into the newspaper material that he uses and what his own relation to it is to be. He recalls that Walter Bagehot once wrote: "Persons of strong opinions wish, above all things, to propagate those opinions. They find close at hand what seems an immense engine for that propagation; they find the *State* which has often in history interfered for and against opinions,—which has had a great and undeniable influence in helping some and hindering others,—and in their eagerness they can hardly understand why they should not make use of this great engine to crush the errors which they hate, and to replace them with the tenets they approve. So long as there are earnest believers in the world, they will always wish to punish opinions, even if their judgment tells them it is unwise, and their conscience that it is wrong. They may not gratify their inclination, but the inclination will not be the less real." [176]

It is this conviction that probably explains why it is that every nation favors propaganda as it is carried on by itself, but the propaganda of every other nation is anathema,—as is illustrated by a recent writer who says "we must carry on a clever propaganda in Russia to let them know that we are in the war and are their friends, and to build up a great party in Russia to resist the Germans." [177]

When the historian asks the specific question, what were the net results of this propaganda so extensively carried on through the press, it is certainly impossible for him to ignore them and to say with an English writer, "When the war is over no one will be the least interested in the Press Bureau, what it did, what it was unable to do, or the curious conditions under which it worked." [178] The historian is above everything else most interested in "going behind the face of the returns" and in tracing to their ultimate source the influences that have made the press what it is. What is needed to-day more than anything else by the historian in his efforts to reconstruct the past is, to adopt a suggestion of Scott-James, "a history of the means by which Governments and other powers within a State acquired the information, the knowledge of facts and events, upon which they acted. When once that history has been written, or when its method has been applied to the history of a single nation, historians can never again be content merely to record the achievements of great men and to trace the organic growth of institutions." [179] Of all of these influences, the press agent, the press bureau, the publicity committee, and the works of their hand—propaganda—are assuredly the most important.[180]

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[176] "The Metaphysical Basis of Toleration," *Contemporary Review*, April, 1874, 23: 765–778; republished in *Literary Studies*, II, 422–437.

[177] Press correspondence, July, 1918.

[178] "Libra," "The Press Censorship," *English Review*, March, 1916, 22: 261–272.

The historian is first of all conscious that the press bureau has its own temptations and that it does not always resist them. In times of crises, at the very times when the newspaper should most unerringly record public sentiment, it fails to do so through the existence of the press bureau. Consciously or unconsciously it may not give the news that might reasonably be given; it may publish false news; it may suppress or ignore criticism; it may give news to some and withhold it from others; [181] it may ally itself closely with a spy system; [182] it may "force editors to print lies by concert;" [183] it may keep back news in order to create ill feeling; [184] it may publish as "straight news" matters that are in the interests of private individuals or corporations.[185] And if it does not in reality commit any of these or a hundred other offenses charged against it, it in effect matters little. The press bureau is always under suspicion because by its very nature it is opposed to honesty, sincerity, and truth.

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[179] R. A. Scott-James, *The Influence of the Press*, p. 33.

[180] The best analysis of propaganda noted is that made by E. K. Strong, Jr., "Control of Propaganda as a Psychological Problem," *Scientific Monthly*, March, 1922, 14: 234–252.

[181] W. Le Queux, "The Perils of the Press Bureau," *Britain's Deadly Peril*, pp. 81–95.

[182] S. T. Felstead, *German Spies at Bay*, pp. 233–253; W. Le Queux, *op. cit.*

[183] New York *Evening Post*, August 1, 1919.

[184] The message of sympathy sent by the German Emperor to the Queen on the death of the Prince of Battenberg "was presumably kept back by our opponents, in order to create ill feeling." Cited from the *Berliner Lokal-Anzeiger*, December 1, 1914, by A. L. Gowans, *A Month's German Newspapers*, p. 11.—This volume contains many illustrations of the operation of the German press bureau.

[185] "Tainted News as Seen in the Making," *Bookman*, December, 1906, 24: 396–403.

Propaganda, the offspring of the press bureau, in its turn by its very nature involves concealment,[186] and it is therefore inevitable that it should arouse suspicion and result in endless and persistent criminations, recriminations, and re-recriminations. Charges of suppression of news, of falsification of news, of elaboration and embroidery of news are all made with reference to the ordinary news columns of the daily press, but in the case of propaganda they carry with them presumptive evidence of their truthfulness and suggest a paraphrase of a famous apostrophe, "O propaganda! How many crimes are committed in thy name!" [187]

One of the insidious means of carrying on a propaganda, as a by-product of government propaganda, has been advertising, although the business man has been quick to see not only that

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[186] Campbell Stuart in a definition of propaganda states: "In so far as its use against an enemy is concerned, the subject matter employed must not be self-evidently propagandist. Except in special circumstances, its origin should be completely concealed. As a general rule, too, it is desirable to hide the channels of communication."—*Secrets of Crewe House*, p. 1.

[187] Illustrations of the charge of suppression of news through propaganda or for purposes of propaganda are almost innumerable,—a few, however, will indicate their general character. The *Leipziger Neueste Nachrichten* published a two-column article beginning with the statement that the speeches in Parliament in London and in Paris were being suppressed because they revealed too closely the serious situation of the Entente.—June 25, 1918. C.

In December, 1918, an English and an American press correspondent in Berlin expressed their surprise at the difficulty they were having in getting interviews with the leading governmental authorities in Berlin. "Are they afraid that we are going to propagate some undesirable political ideas among the people? We are journalists, conscientiously trying to perform our duty, and consider it our first task to find out the facts and to communicate them to our newspapers and thereby to the people of our country. But how can we find the facts if we are prevented from getting a direct insight into actual conditions? We find great scarcity here, though by no means so bad as in Austria, and we desire to do everything in our power to assist in improving the conditions of the people. But it is only by conscientious information and clear reasoning that we shall be able to convince our readers in England, and above all, in America. We must be able to study the situation carefully and that situation can be revealed to us in a satisfactory way and as is demanded by the interests of the German nation, only by the appropriate authorities of the government."—*Berliner Tageblatt*, December 5, 1918. C.

"it doesn't pay," but that it does positive harm to business, and hence he has often protested against it. The anti-American propaganda carried on in Rio de Janeiro through advertisements in a local newspaper were discontinued as a result of a conference between North American business men and the proprietor of the paper.[188] The propaganda carried on in Brazil against the United States was evidently the work of European business men who hoped to alienate Brazilian trade from the United States. It consisted of paid notices in newspapers reflecting upon the part American soldiers took in the European war and was evidently the work of commercial enemies.

Thus one of the special difficulties of the historian in using the newspaper as historical material becomes that of distinguishing clearly between the various grades of publicity and of propaganda that shade into each other almost imperceptibly. The advertisement proper has as its chief function the selling of commodities and when it leaves this field it is legally compelled to announce this departure. The source of important genuine news is indicated, and the position of the editorial indicates its nature. But the publicity committee and the press bureau whose work it is to spread ideas carry with them no distinguishing marks—the advertisement is but one of the numerous means by which they carry on their work and no outward sign indicates its nature, while deliberate propaganda would not be propaganda if it announced itself as such. The historian is often entirely at a loss to know whether the campaigns carried on in the press for and against suffrage, prohibition, vivisection, vaccination, compulsory universal military training, and the thousand and one other interests that engage public attention, are being waged by those honestly interested in promoting or hindering these causes, or whether they are the result of agitations paid for by those personally interested. Where financial gain or loss presumably results to any one from the success or failure of an agitation, the presumption is clearly that it is a case of propaganda, but in many cases it is impossible either to decide the question from open evidence or to go behind the face of the returns and discover the secret proof.

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[188] New York *Evening Post*, July 5, 1919.

But many illustrative instances have been made known that have shown both by direct and by circumstantial evidence the absence of all doubt. Fifteen years ago, it was shown that the publicity agents of the railroads had turned the press of Nebraska from a position overwhelmingly against the railroads to one equally favorable to them,—and this after a campaign of less than three months. Their efforts were successful in large part because they worked secretly, and it was impossible to work against them because the public was unorganized.[189] Yet even so, the bald statements do not necessarily show that the railroads were carrying on a baneful campaign. In this instance, however, evidence to that effect seemed available, as well as the circumstantial evidence that the papers carried railroad advertising and that practically every editor rode on a pass.

With the discussion in 1919 of the question of the continued operation of the railroads by the Government, the way was again open for the publicity agents of the railways. Through the press, pamphlets, questionnaires, and general advertising, the side of the railroads was put before the public, with little effort on the part of their opponents [190] to state their side of the controversy in such form as to be generally accessible to the public.

Other public utilities had shown similar desires to influence the press in their favor. The Springfield *Republican*, April 18, 1905, published a letter sent to various newspapers containing an advertisement in the interests of the Boston Gas Company and against the Public Franchise League. The letter read:

"Enclosed you will find copy for a reading matter ad. to be used in your paper Tuesday, April 18th. It is understood that this will be set as newsmatter in news type, with a news head at the top of the column and without advertising marks of any sort. First page position is desired unless your rules debar that position, in which case give it the best position possible. Please send your bill at the lowest net cash rates to the undersigned at the above address."

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[189] R. S. Baker, "How Railroads Make Public Opinion," *McClure's*, March, 1906, 26: 535–549.

For the week ending June 5, 1905, the press of Nebraska had published two hundred and twelve columns against the railroads and two columns favorable to them; after the campaign of eleven weeks, two hundred and two columns were published for and four against them.

[190] The Association of Railroad Executives established a newspaper and stated in it: "The purpose of this journal is the dissemination among the American people of correct information about the railroads to the end that their future operation may be for the greatest benefit to the public as a whole."—*American Railways*, December 15, 1919.

While some papers accepted the advertisement, others did not, and the editorial comment of the *Republican* was: "On the part of newspapers it is a cheap and nasty betrayal of the confidence of their readers, and treachery to the honorable ideals of journalism of which men of reputable personal character should be ashamed. That this may be no new thing is to the shame of the newspaper people who may have made it an old one." [191]

The insurance investigations in 1905 had shown corresponding efforts of several of the great insurance companies to forestall and to counteract through the press the injury being done to the life insurance companies by the questions already raised concerning their business methods. The testimony taken showed that one newspaper man had been employed by one life insurance company for eighteen years at an annual salary of eight thousand dollars to send news favorable to the company to the head of the Telegraphic News Bureau. The head of the bureau was paid a dollar a line for every newspaper that printed it, and some newspapers in turn were paid five dollars per line, although they averaged lower. The material was sent in as reading matter to "the best papers we can get," but it was not offered to New York papers. Other testimony showed that the matter was sent without distinguishing mark although some papers distinguished it subtly by double ruled head, different type, or asterisks. One newspaper man was unwilling to swear that any newspapers had inserted advertisement without distinguishing mark "except the religious papers. They put anything in there," while he paraded his own high sense of honor by saying that he had not thought it honorable to insert any advertising of an insurance company in the weekly letter he himself sent to a Boston paper. Further testimony showed that about six thousand dollars had been placed in the hands of an advertising man "to obtain articles and writers to shape public opinion." This man knew newspaper men all over the country and "could obtain better service, and obtain the help of men as a personal matter" where direct action by the Company might fail, and he later reported that he was doing the best he could to mitigate the attacks being made on the Company.[192]

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[191] "The Prostitution of the Daily Press by the Public-Service Corporations," *Arena*, July, 1905, 34: 93–95.—The *Arena* gives the facsimiles of the headings of several newspapers publishing the advertisements.

The letter was written from the office of the Boston Elevated Company, indicating possible contributory acquiescence.

A general discussion is given by W. Kittle, "The Making of Public Opinion," *Arena*, July, 1909, 41: 433–450.

The worst aspect of all the sorry business, as it concerned the press, was that, as *The Nation* pointed out, certain sensational "yellow" journals made hostility to corporations their stock-in-trade. "Thus every newspaper that goes into whitewashing at a dollar a line, and every insurance company that pays the dollar, helps strengthen the hold of the yellow demagogue." [193]

When, then, it comes to the final question it must be said that propaganda by its very nature has everywhere been a failure and it inevitably must be a failure. It is an insult to the intelligence of all among whom it is sent; it is stupid in its mode of attack; it arouses intense hostility the moment its real nature is disclosed; it begins an endless chain that leads ultimately nowhere; it is a game which all can play and, as in the formation of armies and fleets, every nation strives to outdo every other nation until destruction waits on all; its handmaid is corruption and its own end is death.

The recent war has shown innumerable illustrations of this. In 1918, "the *Evening Mail* exposure," said the *Evening Post*, "has finally demonstrated the absurdity of the propaganda obsession. No other government ever made such a thorough and expensive effort to purchase public opinion anywhere, as did the German Government in this country. And no effort could have been a more complete failure." In spite of the enormous expenditure involved—Germany was believed to have spent thirty million dollars on propaganda in America, and by October, 1917, to have made a total expenditure of eighty million dollars for propaganda purposes—"the conclusion is inevitable that you can not take a nation prisoner by covert propaganda."[194] And a second conclusion is also inevitable—that, to paraphrase a biblical saying, "They that use propaganda shall perish by propaganda."

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[192] See full report of the testimony taken before the Joint Committee at the New York State insurance hearing, especially Vols. II, 1738–1765; III, 2110 *et sqq.;* IV, 3192–3194.

[193] "A Converted Press," *The Nation*, November 2, 1905, 81: 354–355.

The great danger that confronts the press to-day is "this engine of mental corruption known as propaganda." The danger is not that the press is being or will be controlled by capital, by the trusts, by its advertisers, but it lies near at hand in the enormous influence brought to bear upon the press itself that seeks to make it the agent of some definite propaganda.

The foes of the press are the foes of the historian.

[194] New York *Evening Post*, July 10, 1918.

CHAPTER XIII

ADVERTISEMENTS AND PROPAGANDA

"The press must take account of its mission, and determine, above all things, not to allow itself to be enslaved by any combination, whatsoever, to the profit of one knows not what organization which may have designs against the country."—'*Lysis.*'

THE extent of the influence that advertising exerts on the press has long been problematical, but the regulation of the press through advertisements in the interests of a specific propaganda promoted by authority is one of the most recent phases of press conditions. The advertisements of important department stores, it is believed, prevent the papers carrying them from noting elevator accidents in the store, or reporting shop lifting or pocket picking there, or mentioning a small fire in the place. The advertisements of a large publishing house are believed to carry with them favorable reviews of all books published by them. Complimentary theater tickets are supposed to be supplied the press in exchange for complimentary notices of performances. But even assuming that such suppositions have a basis of fact, such influence exerted on the press is slight in extent and altogether different in character from the attempted regulation of the policy of the press by a great association of advertising firms standing in immediate relation to the government. This form of regulation, however, has long existed in Germany where it indeed passed from regulation into active, creative propaganda.

It has already been noted that both in England and in Canada government advertising has been a welcome addition to a newspaper's chest and that in Canada in particular it has apparently been used to secure desired political ends, especially at times of national elections. But in Germany a very close connection has long existed between the Government and advertising and while it came to the full flower of perfection during the war, its origin antedated it by many years. It has been well known, among other illustrations, that in the Prussian "circles" the local newspapers that were given the Government advertising were thought to be the spokesmen for the Government, they supported the Government, and they were expected to prevent as far as possible the election to political office of radicals and socialists.[1]

Long before the war the value of the advertisement in carrying propaganda into other countries had been fully appreciated in Germany. A recent account[2] has shown how a German advertising agency "covered the world with a network of advertisements" and expected "to use its financial power to impose a Germanophile editorial policy upon those papers whose advertising it [controlled]." As early as 1902 this agency had established a branch in Italy and thus it came to control, before 1914, the advertising pages of ninety-six newspapers in Italy alone. So successfully was advertising as propaganda developed in Italy that secret codes were arranged and this led during the war to the requirement that all Italian newspapers reaching America must have the advertisements cut from them, or must print special editions for circulation outside of Italy.[3] In France also the successful use of advertisements for propagandist purposes led to the prohibition of all advertisements in newspapers circulating in foreign countries.[4]

It was the success of this private advertising agency that apparently led to the development of advertising on a still more extended scale by the great industries of Germany closely interlocked with the Government itself, and definitely organized in the interests of Pan-Germanism. The full extent of its operations can be appreciated only by a somewhat detailed examination of its origin and its policies.

The Allgemeine Anzeigen Gesellschaft, known familiarly as "Ala," was apparently organized somewhat late in the war, but it seems to have had one progenitor in an important firm that received concessions in Morocco about 1910, and another in the Central Union of German Industrialists. The latter organization had sent a petition to the Imperial Chancellor, March 10, 1915, in which it had included a statement of the war aims of the great industries of Germany and of the union landowners associated with them. These aims were the development of a great German colonial empire; the control of Belgium by Germany in regard to its army, coinage, tariff policy, banks, and postal service, while its railways and canals were to be connected with Germany, its important economic undertakings and holdings were to be transferred to German owners, and the Walloon and Flanders districts were to be separated; the French were to evacuate the coastal districts as far as the Somme, to give up sufficient hinterland to assure to Germany complete economic and strategic control of the channel ports, and "any further annexation of French territory in addition to the necessary possession of the ore regions of Briey [were] to be determined, by our [Germany's] strategic needs",—this in addition to assuming possession of the passes of Verdun, Belfort, and the west slope of the Vosges.[5]

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[1] R. H. Fife, Jr., *The German Empire between Two Wars*, pp. 377–378.

Ferdinand Lassalle had noted the evil influence of Government on advertising and had proposed newspapers without advertising.

[2] 'Lysis,' "German Corruption of the Foreign Press," *Atlantic*, June, 1918, 121: 815–825.

Articles by the same writer in *L'Homme Libre* on the same subject were summarized in the *Christian Science Monitor*, January 19, 21, 1918.

[3] New York *Tribune*, May 7, May 1, 1918.

[4] New York *Times*, June 12, 1918.

The Ala was only one of the devices used later for carrying out these policies, but its advantages for doing so were exceptionally great, since it was an immediate outgrowth of the Foreign Advertising Company of Essen and the leading members of the "big industry cliquetaire" interested in it.[6] Even more pointedly the *Frankfurter Zeitung* refers to it as "organized under the intellectual and financial leadership of the Rhenish-Westphalian Iron and Steel Industry."[7] It described itself in its advertisements as an advertising association recognized by the Union of German Newspaper Publishers and as engaged in all kinds of business within the advertising field. Its previous capital was to be doubled, and its purpose and functions were described much as would be those of an advertising company elsewhere.[8] It differed essentially, however, from the advertising company as organized elsewhere, in that its capital was furnished by certain great interrelated industries closely associated with the Government, and the policy of the Ala was controlled by them. Other advertising companies are independent organizations without connection either with other industries or with a government,—they are independent of all outside control both financial and political.

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[5] Theodor Wolff in *Berliner Tageblatt*, March 4, 1918. C.

[6] The details of its organization are given by T. Wolff, *op. cit.* He says that in order to keep control of the foreign and the domestic press, its members founded in Berlin a "Deutsches Archiv,"—"well described as a detective bureau for watching and controlling the public influence exerted by newspapers."

[7] *Frankfurter Zeitung*, August 13, 1918. C.

[8] *Schwäbisher Merkur*, March 7, 1918. C.

The immediate purpose of the Ala was to place advertisements in newspapers that were willing to advocate German Nationalist policies,—the firms associated in the Ala placed their advertisements in newspapers which reciprocated by supporting the political views of the great industrialists and of the Fatherland party. It officially announced more specifically that its purpose was the control of the payments of the large sums annually invested by German firms in foreign advertising so that they would go to the newspapers favorable to Germany. Since, however, a company could not devote itself to foreign advertising exclusively, it purposed to engage in domestic advertising as well.

This statement of its policy naturally aroused in the *Frankfurter Zeitung*,[9] as in other independent journals "without regard to their party affiliation," the suspicion that at home as well as abroad the advertisements would be placed with reference to the attitude of the German papers toward the wishes of the men at the head of the Ala. These suspicions were not allayed by the publication of a pamphlet *Der Kampf um die Ala* which stated that the purpose of the Ala was "to distribute the advertising entrusted to it by its customers among different newspapers with a conscientious regard for the value of their service. The Company confines itself to commissions that are above suspicion and will refuse to take commissions intended to influence papers, although such influence might be directed in favor of the German Nationalist idea."[10]

The suspicions roused were not quieted by these somewhat equivocal statements, as they also were not by the similar statement of the *Kölnische Volkszeitung*, whose publisher was a member of the advisory council of the Ala, that "the Ala has nothing whatever to do with influencing politically the German press." [11] On the contrary, they were if possible increased by the report made by Professor Walter Götz, the successor of Lamprecht, and published in the *Leipziger Tageblatt*.[12] He says in writing of the imperialistic annexation objects of great capitalists:

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[9] *Frankfurter Zeitung*, August 13, 1918. C.

[10] *Id.*

> "It is not the press of the Fatherland Party alone that shows the real sources of influence and their method of operation; it is not alone the personal connections which we witness everywhere between the partisans of the Fatherland Party, the Pan-Germans, the great captains of industry and the Conservatives; neither is it alone in the appointment of certain influential public men to important business posts, when these men have previously been prominent in the Pan-German movement—this propaganda goes beyond all this, and reveals itself in commercial relationship. During its first advertising campaign in September and October, the Fatherland's Party operated with the 'Ala'. That this proves a further connection with the iron and steel industry was obvious to everyone who knew the character of the 'Ala'. The 'Ala' began as a company for advertising abroad. It placed the advertising of German companies in foreign newspapers and was confessedly an enterprise supported by the iron and steel magnates. The chairman of the board of directors of Krupps is a director of 'Ala'. Its Essen foreign department has a majority of the stock and the remainder is in the hands of other similar industrial enterprises. Last summer the 'Ala' converted itself into a general advertising company. Newspapers of all party complexion at once expressed their opposition or distrust of this enterprise. It was impossible to avoid the suspicion that a plan existed to influence the press by means of advertisements.
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> "This suspicion was strengthened when one saw in the chief organ of the Fatherland's party and the Pan-German propaganda, for instance, great advertisements of an important German steel works, where the readers of an otherwise harmless German city were offered 'artillery ammunition, hand grenades, shrapnel, and artillery.' I cannot, for my part, understand why the advertising expenses of the munitions manufacturers should be increased by

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[11] *Kölnische Volkszeitung*, March 9, 1918, cited by the *Frankfurter Zeitung*, August 13, 1918. C.

[12] The report is published in the *Arbeiter Zeitung*, April 1, 1918. C. It is given at length as so little material is available in this country for understanding the work and influence of the Ala and such understanding is indispensable in any consideration of propaganda and the regulation of the press.

such extravagant announcements. The products of this business are sold to the army and not to the German public. It is scarcely conceivable that a Pan-German paper committed to the extravagant patriotism of that school of thought should be offering such wares to its neutral readers abroad. This much is certain: There are newspapers in Germany which have close connections with the big industries, while other widely circulated and prominent dailies in Central and Southern German cities cannot obtain such advertisements, although they solicit them. Late last summer the reorganization of the 'Ala', which we have described, was completed so far as the domestic business was concerned. There was at the same time an increase in the capital from 200,000 marks to 4,000,000 marks. It is remarkable what a profitable thing it must be to advertise cannon and munitions during a war! Although this industry is exclusively occupied in producing army supplies, it, of course, requires a tremendous publicity organization! Or does the 'Ala', as the newspapers openly state, look further than this? Is it intended systematically to employ advertising power for political aims and furthermore as an agency for buying up newspapers?

"Another remarkable fact: Who has appeared as the voluntary champion of the 'Ala'? It is a certain attorney, Heinrich Class, the presiding officer of the Pan-German Union. In the *Deutsche Zeitung* of the 29th of July, 1917, he lauded the 'Ala' as a national undertaking, which was to protect the advertising market from the control of improper influences. This was published in the *Deutsche Zeitung*, which two years previously had been reorganized with capital from unknown sources amounting to 2,000,000 marks and was completely under the control of the Pan-German Union. Today the *Deutsche Zeitung* is the principal organ of the Fatherland's Party. Surely it is to suspect the general public of extraordinary simplicity to fancy that it does not suspect something behind this connection. We need no further proof of the fact that an intimate community of sentiment exists between the Pan-Germans and the captains of industry and that they both agree in their desire to make extensive annexation and in their opposition to internal reforms. There would be no harm in these two supporting each other openly. The unpleasant thing is that a campaign of falsification is started to conceal this obvious association and that the Fatherland's Party denies that it is the third member of the alliance, involving the great industries and the Pan-Germans. I know in advance that the executive committee of the Fatherland's Party will represent the employment of the Ala as a mere accident. They had started operations with a testimonial from the invalids but we must reply to this that if the leaders of the Fatherland's Party were really ignorant of the circle of interest to which they committed themselves, that was a striking demonstration of the fact that they were being guided by a stronger hand. If they did not know what they were doing, it is incomprehensible how they expected to escape the inevitable suspicion of their intimate relations with the great industries and particularly with the organized representatives of those industries. That the gentlemen knew what they were doing is hardly to be doubted, for the leader of the Fatherland's Party press propaganda is a practical journalist and the publisher of a Pan-German paper.

"I will quote a few more evidences to show the ample sums that are at their disposal. The daily papers receive advertisements that fill an entire page. Yes, advertisements were often inserted on the front page under the editorials, a practice that is as unusual in German newspapers as it is expensive. Does this not permit one to suggest extra prices? Professional and technical papers, which ordinarily receive no advertisements of this sort, were brought into line. The people have been flooded with published matter, even in the smallest villages. Even in the army, which should be free from all political controversies, great masses of publications are being circulated.

"Furthermore in the cities of Central Germany between Cassel and Dresden papers that were formerly decidedly Liberal have been either purchased or offers have been made to purchase them by middlemen at prices far beyond their actual value. A paper that its owner valued at 700,000 marks received a blanket offer of 1,500,000 marks for its property. We might mention the case of the *Weserzeitung*, which was transformed, not by the iron and steel industry to be sure, but by a particular business group. The former owner frankly admitted this and the new editorial staff publicly stated that in foreign policies it would follow the program of the Fatherland's Party. Is it not a remarkable coincidence that these newspapers, in whose transformation the iron and steel industry or other great industries played such an important part, steer straight into the camp of the Fatherland's Party? In such a state of affairs, is it really improper to express the suspicion that certain economic political interests are pursuing their designs under the cover of the Fatherland's Party? The Fatherland's Party hasn't done these things. I have never said that, but in working through the Ala and in making certain papers its principal organs, or, we might almost say, its official organs, it has entered into an intimate alliance with the iron and steel industry and allied manufactures and subjects itself to the suspicion of . . . serving the purposes of outside interests."

The comment of the *Arbeiter Zeitung* was "We know where Austria gets its enthusiasm for annexations."

The regulation and control of the press attempted by the Ala in the interests of Pan-Germanism and the Fatherland's Party led not only to suspicion but to very pointed questions. The *Frankfurter Zeitung* asked why the iron and steel industries whose leaders had founded and had directed the Ala showed such remarkable interest in advertising, and it adds that a non-partisan advertising company should long ago have been formed. It also asks why the Ala is so prodigally provided with funds, and whether its purpose was to acquire an influence over the political and commercial columns of the press through the influence it had already acquired over its advertising columns. In the opinion of the *Zeitung*, the German press was in greater danger than ever before.[13]

Nor again was suspicion confined to the press. Representative Hugo Haase said during a debate on censorship in the Reichstag:

> "We have a well-organized, systematic campaign of slander against the majority of the 19th of July, accompanied by the worst possible corruption of our whole public life. Professor Dr. Walter Götz has very opportunely described how this campaign of corruption is conducted in case of the newspapers. In professional papers and other periodicals designed to represent the interest of a particular class, great advertisements appear of artillery, ammunition, shrapnel, aviation apparatus, and automobiles. Why do these advertisements appear in such a place? The gentlemen who are spending their money for them know why. When these papers take the field against the Reichstag majority it naturally arouses our suspicion. Bitter attacks were made upon me in this press after the demand was made in the subcommittee in the Committee of the Whole, that the difference between the price for export and the domestic price of certain articles should be paid back to the government, since a few exporters of coal, steel, and chemical productions had been able in this way to put not less than 644,000,000 marks in their own pockets. We shall yet have to ask the government why this small group of people was able to make such extraordinary profits. The result of this procedure is that we have to pay enormous prices for provisions imported from other countries,

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[13] *Frankfurter Zeitung*, March 12, 1918. C.

and that the German people suffer three-fold and four-fold through this procedure."[14]

Through these discussions of the pernicious influence of the Ala advertising propaganda, both in the press and in the Reichstag debates, the Ala was driven into a position of self-defence, and the *Hamburger Nachrichten*[15] quickly came to its aid in a general defense against these specific charges, denying that the press was influenced by the advertising favors such advertising companies bestowed.[16] The *Deutsche Zeitung* also contradicted the statements made by Theodor Wolff in the *Berliner Tageblatt*.[17] The *Kölnische Volkszeitung*[18] attacked Professor Götz for his charges that the Fatherland's Party had corrupted the press, and said that the Center had attacked the *Kölnische Volkszeitung* for not discussing the question. It explains that it had not done so because of the scarcity of paper and also because of its dislike of controversy. But it said that it had vigorously and definitely refuted the charges made against it—that it had been bought by the big industrialists and was receiving money from certain sources,—and it added, "Neither the *Kölnische Volkszeitung* nor its local representative, the *Kölner Lokal-Anzeiger* has ever received advertisements from the Ala or any other advertising agency at more than the regular price."[19]

But the *Frankfurter Zeitung*, in reviewing later these denials of the undue influence of the Ala, considered that under the circumstances "it is very fortunate that a man so thoroughly familiar with this business and so near to the controlling influences of the Ala as the Syndic of the Chamber of Commerce of Hanover, Dr.

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[14] *Reichsanzeiger*, February 28, 1918. C.

[15] "*Hamburger Nachrichten* was the receptacle of Bismarck's confidences under the editorship of Hermann Hoffman (who died January, 1916). Extreme, but with a preposterously Conservative touch of dignity. Very Anglophobe."—"The German Press," *The New Europe*, April 11, 1918, 6: 409–416.

[16] *Hamburger Nachricthen*, March 8, 1918. C.

[17] *Deutsche Zeitung*, March 9, 1918. C.

[18] "*Kölnische Volkszeitung* is the historic organ of the party [Centrum, Catholic]. It now represents the Chauvinist elements in it, and only with difficulty conceals its opposition to the Reichstag resolution. Strongly anti-democratic; but this is only recent. There have been times when it represented the democratic wing of the Center Party."—"The German Press," *The New Europe*, April 11, 1918, 6: 409–416.

[19] *Kölnische Volkszeitung*, March 9, 1918. C.

Rocke, should state just the opposite. This statement is made in an article defending the Company which he published in *Weltmarkt* and which has been released by the editor for free use. —He says:

> 'It is proper, and is a matter acknowledged by the Company, that its relations with some branches of industry are long standing. I think I am committing no indiscretion in saying that for several years the advertising business has been carefully watched by industrial circles and at times unfavorably criticised. This leads us to a consideration of our peculiar conditions in Germany.
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> 'These conditions are peculiar as compared with those abroad in the sharp distinction we make between the news and editorial direction and the advertising direction, so that the editorial independence of a newspaper might not be influenced by its advertising interests. That is an honorable characteristic of the German press and one of the great assets of public morals in Germany. It would be going too far to assert that a consideration for advertising policy plays no part in the newspaper world as a whole. In this respect we should bear in mind that the subscribers for many papers pay hardly more than the cost of the paper itself. All other expenses for materials and for editorial and news service are paid by advertising. This makes the advertising business important not only from the business side but also from the intellectual side. It makes it possible to establish and conduct papers which are the indispensable disseminators of knowledge and culture, and which shape public opinion.
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> 'There has resulted in the German press a division which we have already mentioned. The advertising columns are employed to promote industry and are glad to undertake this service, while the editorial columns neglect the interests of the industries that advertise with them and occasionally oppose their plans. The desire of advertisers to change this situation is easily understood. They never have made it an object of their endeavor to impair the independence of the press and in this respect to exercise pressure upon it to color its editorial opinion and news service. But a better distribution of advertising is possible, so that papers that have not been favored by previous advertising bureaus may receive more business. Such a new adjustment will benefit the papers in which the true sentiment of the people or, if not all of the people, those of a particular locality or occupation, is better mirrored than in the papers hitherto favored, which may enjoy considerable repute abroad and which already perceive that they

are likely to lose by the operation. This explains their bitter attack against the Ala which is designed to bring about the change suggested.

'The press as a whole has no reason to oppose this movement and least of all to complain that newspaper morals will be undermined. On the contrary the situation will be more ethical, inasmuch as those papers will receive the most advertising that are not afraid to stand up bravely for patriotic measures and to advocate a vigorous domestic policy without constantly troubling themselves over the effect of their statements abroad and without flattering the prejudices of the masses. This will result in a certain protection of the minority against the purely mechanical superiority of the masses, something that is just now much to be desired in political life.' "

"We can only be thankful to Dr. Rocke," continued the *Zeitung*, "as we have just said, that a person standing so close to the Ala should confirm what every alert observer had long expected. When he mentions the criticism which certain captains of industry had voiced upon the relation of advertising and editorial policy, he is right in saying that he was not committing an indiscretion. For we already have received a protocol of the Central Union of German Industrialists where an influential man like Kordorf advocates boycotting certain papers on account of their political views. This naturally leads to the plan which Mr. Rocke correctly describes, of making the newspapers more obedient to the will of these industrialist gentlemen by giving advertising only to those papers that consult their interests. We might remark in passing that such a policy violates all business laws. Hitherto advertisements were placed in papers whose circulation and class of readers promised the best of results. In the future it is planned to manage differently. According to the plan laid out by Dr. Rocke, advertisements will be used as subventions to papers edited in the way the advertisers wish. We should note how candidly Dr. Rocke describes such editors: 'Papers in which the true sentiment of the people or if not all of the people, those of a particular locality or occupation, is better mirrored than in the papers hitherto favored.' Let us note carefully this description. Journalists have to be on their guard regardless of the party to which they belong. It is no less important, however, that the general public should follow these developments with alert attention."[20]

The Ala had also come to its own defence and *Vorwärts* published a statement from it to the effect that it did not reward any newspapers with its advertising or punish other newspapers by boycotting them. But *Vorwärts* observed that this statement was regularly made and that against it must be set the express statements of Dr. Rocke to the contrary. As for the Social Democratic press, *Vorwärts* says that it is absolutely neutral, and that it has nothing to expect from the favor of the great industries in order to free them from their displeasure. "The Social Democratic press is free from concern of that character by the financial report of its organization."[21]

The Ala was not the only advertising agency charged with promoting the policies of the Government. The *Leipziger Neueste Nachrichten*[22] "contains a rather precise account of the Reimar Hobbing advertising monopoly," in which it characterizes Hobbing as a pushing, fortunate young publisher who had acquired a monopoly of the advertising privileges on the railways and shared the profits with the Government. He was at the same time the proprietor of the *Norddeutsche Allgemeine Zeitung*[23] and had invested considerable sums in "this tiresome old sheet,"—as the official organ of the Government was characterized by the *Neueste Nachrichten.* The connection between these two facts was at least unfortunate. "They permit us to suspect that government policies are being played, and that funds are being indirectly utilized for this purpose from the public revenues. A second surprise is pressed on us. Ordinary papers must economize their paper most carefully in order to make up their editions with the supply allotted them. Meantime, the *Norddeutsche Allegemeine Zeitung* has received very considerable quantities of paper to increase its circulation with official assistance. To say the least, it is in the fortunate position of being able to promote its interests with a large supply of free copies." Since Hobbing had a monopoly of the sale of publications on the railways, "what is to prevent his printing hundreds of thousands of copies of the *Norddeutsche Allgemeine Zeitung,* after peace comes and we have paper enough, and distribute them free in all the trains, in order to conciliate the favor of everybody by this gigantic propaganda. We hear a good deal of ill-natured criticism already as to the alleged connection between political propaganda and the advertising columns of certain of our newspapers. The situation suggests in this case a possible relation between business and the Government that we have not had hitherto in Germany and are not anxious to have introduced." [24]

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[20] *Frankfurter Zeitung*, August 13, 1918. C.

Vorwärts comments upon Dr. Rocke's article in *Weltmarkt* upon the Ala, quoting practically the same paragraphs that have already been quoted from the *Frankfurter Zeitung*. It contributes the following facts in addition:

"This Mr. Rocke, who is not perhaps so well remembered just now, was notorious for a few weeks some years ago. At a general meeting of the Central Union of German Industries, complaints were made because social welfare sympathies had manifested themselves in the national liberal party. Thereupon Mr. Rocke arose and stated frankly that the representatives of the National Liberal party should be given to understand that they represented simply the interests of the great manufacturers, for these paid their election expenses. The incident caused a very unfavorable impression and Mr. Rocke was forced out of the National Liberal party which he had belonged to up to that time."—*Vorwärts*, August 16, 1918. C.

[21] *Vorwärts*, August 18, 1918. C.

[22] "*Leipziger Neueste Nachrichten* is the chief National Liberal paper of the Right of Saxony. More violent than the *Hamburger* [*Nachrichten*]. Said to express the temperament of the Crown Prince, owing to the fact that the late Herr Liman, its Berlin correspondent, published a sketch of him and was supposed to enjoy his confidence."—"The German Press," *The New Europe*, April 11, 1918, 6: 409–416.

[23] "*Norddeutsche Allgemeine Zeitung* contains full reports of Ministerial speeches in the Reichstag and the Prussian Landtag, official *dêmentis*, and articles directly inspired. Besides this, its chief function is the manufacture

That some of the fears of the *Neueste Nachrichten* had a basis of fact seemed clear from an advertisement in the *Deutsche Tageszeitung* [25] of a booklet "Why and How must Germany Annex?" This was priced at 35 pf. a copy, five to nine copies were 25 pf. each, while 250 copies were sold at 20 pf. each. The advertisement appealed "To the members of the German Father-

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and distribution of propaganda. It circulates chiefly among the newspaper editors. Its selected quotations from the German press afford a useful indication of Government policy."—*The New Europe,* April 11, 1918.

[24] *Leipziger Neueste Nachrichten,* March 14, 1918. C.

[25] "*Deutsche Tageszeitung* is chiefly famous for Reventlow's diatribes. It makes a specialty of attacks upon Austria for its moderation. Apart from this it is important for its agricultural news with which, as the organ of the Conservative-agrarian *Bund der Landwirte,* it is generally filled. It was originally founded as the declared organ of the Agrarian League. It is strongly reactionary in home politics."—"The German Press," *The New Europe,* April 11, 1918, 6: 409–416.

land Party. If 100,000 members each send five copies of this particular work, by the Dutch lieutenant Hans Clockener, to friends and relatives in the army and navy, 500,000 copies will be spread broadcast at once. The booklet will be read by at least twenty of our men, and in this way 10,000,000 combatants may be enlightened. . . . Send to-day before you forget. Time presses."[26]

The *Leipziger Volkszeitung*[27] noted the active discussion in the socialist and bourgeois press precipitated by the activities of the Ala and also by the advertising monopoly of Reimar Hobbing and his ownership of the *Norddeutsche Allgemeine Zeitung*. The latter journal, in spite of the scarcity of paper, had increased in size and had a very much larger edition because it was received in all the larger railway offices. In the Frankfurt am Main district, three hundred copies were given away daily to railway employees. But the *Volkszeitung* protests "We can not get so excited as some of our contemporaries over these attempts to influence public opinion because the reading public must by this time be well enough informed of the fact that the press has ceased during the war to be an independent organ of public sentiment, but is absolutely controlled by outside interests. Our only surprise is that the Government should employ such crude measures as it has in the case of the *Norddeutsche Allgemeine Zeitung* and has aroused the anger of the Bourgeois press which fears the competition of the Government paper. . . . The Government Socialist press has plenty of occasion to look after affairs at home before condemning the practices of the Ala."[28]

But these measures did not seem so crude to all as they had seemed to the *Volkszeitung*. On the contrary, so successful did this form of propaganda seem to its promoters in Germany that an Austrian advertising company similar to the Ala was organized in Vienna where its offices were the same as those of the Vienna branch of the German Ala. Its promoters, like those of its German prototype, were capitalists, manufacturers, and men engaged in important industrial enterprises.[29]

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[26] *Deutsche Tageszeitung*, May 1, 1918. C.

[27] "*Leipziger Volkszeitung*.—The leading Minority paper and the Socialist journal next in importance to the *Vorwärts*. Thoroughly pacifist, because it does not believe that the war is a war of defence for Germany. Bitterly critical (in so far as it dare) of the 'emptiness' of the German peace offers. It used to be opposed to a definite split in the party, hoping that the Minority would gain control by constitutional means. Since the 'conversion' of *Vorwärts* it has tended to become the principal mouthpiece of the Minority."—"The German Press," *The New Europe*, April 11, 1918, 6: 409–416.

[28] *Leipziger Volkszeitung*, March 16, 1918. C.

Russia, too, learned lessons in regard to advertising, and six months after the close of the war an Austrian, returning from imprisonment in Russia, brought with him a collection of the laws of the Revolutionary government.[30] It is of interest to note a few of these laws relating to the government and advertising:

> Sec. 1. "The printing and publishing in any form of advertisements of periodicals, newspapers, collections of articles, posters, advertising publications, and through advertising offices is declared to be a monopoly of the government."
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> Sec. 2. "Only the press and publishing houses of the soviet of workers have the right to print advertisements. Any other printing office that publishes them will be shut down."
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> Sec. 3. "All business houses engaged in the advertising business are confiscated and taken over by the government. However, newspaper publishers and advertising bureaus with all their office staffs and employees are to remain in operation after the transfer of the business to the state and will be held responsible for this . . ."
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> Sec. 5. "Any person who fails to obey this ordinance will be punished by the confiscation of all his property and by imprisonment up to three years."
>
> Sec. 7. "The persons who lose their property by confiscation of the advertising business will receive a relief allowance in case they are shown to be destitute."

This examination of the use made of advertisements by great industrial organizations must indicate how serious a limitation they put on the press of Germany when it is used by the historian. But another result must be to show how seriously at fault are the superficial generalizations made concerning the German press. This has often been spoken of as if it were unanimous in its support of the imperial regime, and in hearty accord with the policy of colonial expansion, the maintenance of universal military training, and the continuation of autocratic government. To many persons, cut off as other countries were during the war from ready access to newspapers from Germany, the German revolution came as a great surprise, since unanimity of belief and action had been assumed. But it must be evident that opposition to Ala existed from the first, and this not only from the Socialist press but from all branches of the press outside of the supporters of Pan-Germanism. The liberal and progressive element of the German press had given warning, as had the *Frankfurter Zeitung*, that the press as a whole was in danger through its machinations. The *Arbeiter Zeitung* in a lengthy article on "The Superstition of Force" had said: "The Prussian Junkers and the iron and coal magnates of German industry are accustomed to treat their own people with brutal violence and they have inoculated a great part of the German nation with the superstition of force. They know no other way to success than that of the sword, no other path to power than that of violence. Whoever assigns importance to the moral ideals which influence the people is rated as a foolish idealist by these men. They think the only way to get peace is by force [but] the belief in force has again been proved to be but a superstition."[31] The *Berliner Tageblatt*, in an article discouraging pessimism, had added, "At the same time from every circle and class of society there arises more insistently and sharply the question of doubt as to whether our present method of government can endure—that method which has hitherto ruled the German nation in a patriarchical and Olympian manner."[32]

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[29] *Berliner Tageblatt*, June 20, 1918, citing the *Neuer Abend*. In this connection it reports from the Vienna weekly *Peace* that a German nationalist evening paper was to appear July 1st. "It is promoted by two capitalists who are named, and is to be under the direction of a former editor of the *Düsseldorfer General Anzeiger*. Since Austria has not enough paper to permit of the founding of new periodicals, the paper for this young enterprise is to be brought from Germany. Permission to do this has been secured from the Export Trade Board of Germany, and from the Import Trade Board of Austria, and from the Exchange Office. It should be noted that the *Düsseldorfer General Anzeiger* is a paper controlled by iron and steel magnates." C.

[30] Published in the *Reichspost*, and copied in *Germania*, February 18, 1919. C.

Authority in Germany in its support of Ala had but hastened its own dissolution; the protest against it on the part of the progressive element of the German press was not made in vain.

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[31] *Arbeiter Zeitung*, May 16, 1918. C.

[32] *Berliner Tageblatt*, September 16, 1918. C.

Note.—A search in this country and in Germany, prolonged for nearly five years, for a copy of *Der Kampf um die Ala* was unsuccessful. But since this chapter has been in print, a type-written copy has been received from Berlin, through the kind offices of Director S. P. Duggan, of the Institute of International Education. It is a pamphlet of about seventy pages, and, after a brief account of the formation of the Ala, it gives selections from the attacks made on it. Various articles defending it are also given "um die Tatsachen als solche zu dem Leser sprechen zu lassen." Although the examination of the pamphlet has necessarily been a hurried one, nothing has been found at variance with the facts as stated or the conclusions reached in this chapter. The *Kölnische Volkszeitung*, it is true, states, March 9, 1918, that Professor Götz has not produced "a vestige of proof" for the strictures brought against the Ala. But the facts given must seem to an onlooker to justify the charge made by the critics of the Ala that it had attempted to corrupt the German press in the interests of the Fatherland's Party and Pan-Germanism.

CHAPTER XIV

THE INFLUENCE OF THE PRESS

"[The press] has affected a greater change in human affairs than either gunpowder or the compass."—*Blackwood's*, 1834.

"Aussi l'influence des journaux sur les grandes mesures politiques est à peu près nul."—*Bonald.*

"Carrel was not the first to see, but he was the first practically to realize, the new destination of the political press in modern times. It is now beginning to be felt that journalism is to modern Europe what political oratory was to Athens and Rome, and that, to become what it ought, it should be wielded by the same sort of men."—*John Stuart Mill.*

"No apology is necessary for assuming that this country is ruled by *The Times*. We all know it, or, if we do not know it, we ought to know it. It is high time we began to realize the magnificent spectacle afforded by British freedom—thirty millions of Cives Romani governed despotically by a newspaper. Even the direct rivals of *The Times* in the daily press implicitly admit its autocracy . . . As for the weekly newspapers, they have degenerated into the toadies of the great daily journal, and if there be one form of this toadyism more ecstatic than another, it is that exhibited by the jokers of the hebdomadal press."—*The Saturday Review*, 1855.

"One thing which the country will have to make up its mind about very speedily is whether it is going to be governed by newspapers."—*London Truth*, 1915.

"Every country is held at some time to account for the windows broken by its press; the bill is presented, some day or other, in the shape of hostile sentiment in the other country."—*Bismarck.*

"Public opinion has a more direct, a more comprehensive, a more efficient organ for its utterance, than a body of men sectionally chosen. The printing-press is a political element unknown to classic or feudal times. It absorbs in a great degree the duties of the sovereign, the priest, the parliament, it controls, it educates, it discusses."—*Disraeli.*

"The power of the press has increased in even greater ratio, for it can make or unmake ministries, and embarrass government by exercising its criticism as a 'knocker', one who criticises recklessly or for some other purpose than to inform the public and to expose real dishonesty in government. Instead of circulating by the tens of thousands the leading journals count their sales by the quarter of a million and their readers by the million; and the old weekly which even in political excitement rarely attained a circulation of a hundred thousand, has been superseded by a weekly circulating each week many more than a million copies with readers of uncountable extent. Important as the newspaper was in 1850, as a source of information, more or less accurate, it is of far greater moment in 1918 and tends to become of greater moment each year."—*Worthington C. Ford.*

How does the influence exerted by the periodical press affect its use by the historian? The question is scarcely second in importance to that of the authoritativeness of the press, yet its answer is far more elusive,—indeed, a full, complete, and satisfactory answer seems impossible. That its influence in general is very great is undeniable; that it has in a measure superseded the influence wielded by kings and courts, by the pulpit and the platform is usually recognized; but no divining rod can locate it, no plummet sound its depth, no instrument of precision measure it, no astronomer compute its orbit. Like the perfume of a fragrant flower or the unsavorv odor of a rendering plant its source can be located, while its nature defies analysis and the extent of the area through which it permeates remains absolutely unknown.

Yet to the historian the question of the influence of the press is of the utmost importance. If its influence makes for righteousness and peace, it is one of the determining factors in the development of human life; but it is no less true that the historian must reckon with it if its influence is pernicious. Nor is it sufficient for the historian to determine the measure of the authoritativeness of the press. A newspaper may give only facts, yet even so, by its selection of facts it may give a perverted, distorted, and altogether untrue account of events while purporting to give the absolute truth; it may give the truth—in part, but if it does not give all the truth, it may in reality convey a false impression. A newspaper may be absolutely authoritative in every one of its numerous departments and yet apparently wield comparatively little influence, while another may be notorious for its inaccuracy, its misleading and even false statements, and for its general unreliability, and yet it may exert an influence out of all proportion to its true worth. Justice is reputed to be blind, but the historian must have normal vision and then he must use both microscope and telescope to determine the character and the extent of the influence of the press, and he can neglect its mischievous tendencies as little as he can its admirable ones.[1]

It must be evident that difficult as it is to deal with the general statement in any connection with the press, it is peculiarly dangerous to use any general statement concerning its influence. This varies with nationality, with the age when it appears, with its personality as affected by its surrounding conditions, with the personality of its editor, with the appeal it makes to its readers. Where the press is under direct government control, the influence exerted is in reality that of the government rather than that of the press. In countries, like France, that have had no provincial press comparable in influence to that exerted by the English provincial press, it is the influence of the press of the capital city that practically alone counts. In America, neither the metropolitan nor the provincial press is paramount,—the influence of the press here has always been widely distributed over the entire country and never has any one paper been far in the lead as was so long the portion of the London *Times*. The Boston *Evening Transcript*, the Springfield *Republican*, the Hartford *Courant*, the New York *Evening Post*, the Philadelphia *Public Ledger*, the Chicago *Tribune*, the Louisville *Courier-Journal*, the Kansas City *Star*, the Omaha *Bee*, the Lincoln *Commoner*, the Portland *Oregonian*, the New Orleans *Picayune*, and the Atlanta *Constitution*, all show how little centralized has been the influence of the press of America and how much its influence has depended on the strong personalities of individual leaders. These have maintained for years an unbroken tradition of leadership; or they have carried the pioneer spirit into new fields and set in motion new influences; or under a succession of able editors of widely differing personalities the same paper may, like the New York *Evening Post*, exert at different times a great influence in the outwardly differing fields of social reform, literature, and politics; or the same paper may exert a wide influence through the accuracy, speed, and fullness with which it presents to its readers the news of the world, while the influence of its editorial columns may be slight; or a paper may influence a wide circle of readers through the trustworthiness of its advertisements, while its news columns and editorial pages may be ineffective. The influence of the daily press is exerted largely through its news and its advertisements; the weekly metropolitan press is as a rule one of leadership, discussion, and opinion; the weekly country press serves as clearing house for all the small events of everyday life that are of supreme importance to those participating in them, but have little influence on the circle made by a prolonged radius.[2]

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[1] On the general subject, see W. L. Cook, "The Press in its Relation to History," *History Teacher's Magazine*, January, 1914, 5: 3–8.

Differing national conditions must also be taken into consideration. In Germany, the close connection between scientific investigation and university instruction prevents adequate investigation of subjects that have not as yet formed the basis of an academic career.[3] The universities have not yet made the press the subject of scientific investigation, and hence the press, outside of the Socialist press, has probably exerted less influence than would otherwise be the case,—and this quite apart from its relations with the Government. But the cleavage between authority and the Socialists was, prior to the war, nowhere more in evidence than in the rise and influence of the Socialistic press. In 1908, the Socialist party had daily papers in sixty-eight towns in Germany, and many of them had large circulations; sixty-two trades and industries had special trade papers; and papers in their own language were issued for the benefit of Polish and Italian workingmen. In Berlin, inquiry showed that of the members of one strong trade union more than one-third of the households interrogated regularly subscribed to the official Socialist journal. While the tone of this press was considered frankly anti-ecclesiastical and often aggressively atheistic, the German labor press was considered by the most competent of judges to be "far above the English level in wideness of interests and in literary ability."[4] To those familiar with the influence of the Socialist press in Germany, the revolution of 1918 against imperial autocracy, Pan-Germanism, and military hegemony was in no way a surprise.[5]

[2] P. C. Bing, *The Country Weekly*, shows the opportunity that the country newspaper has for community leadership.

[3] C. Bücher, *Industrial Evolution*, p. 215.

[4] W. H. Dawson, *The Evolution of Modern Germany*, pp. 117–119.

[5] A significant comment on the influence of the press in Germany was made by the American minister to Germany in 1890. "I have got intimate

In France, the desire of every politician to have his own medium of expression may almost be said to make of every politician a journalist and of every journalist a politician.

In England, the principle of responsible government has favored the influence of the press. If, at any hour, the government may appeal to the country and a new election result in the return of the opposition, the press must be active and alert, quick to detect changes in the public pulse, and prompt to give information of the change. In America, the principle of checks and balances prevents the press from having a controlling influence on politics to the same extent that prevails in England; its interest and influence are intermittent and their tides correspond to the times of congressional and presidential elections. In England, the press may be classified as the press of London and the provincial press, and the influence exerted by each may be somewhat clearly recognized. But in America no one city or section leads and the influence on politics exerted by the press is so diffused over a continent that it defies localization.

And in England there have been indications of the changing influence of the press and of the shifting of that influence from one group to another of press representatives. Charles A. Cooper, in writing of the Parliamentary elections of 1880, says that the general tone of the provincial press had convinced him that the Liberals would be successful in the coming election, but that the London press had predicted a great triumph for Lord Beaconsfield.[6] The Liberal success showed that the influence of the provincial press and its knowledge of political affairs had outstripped the vision of the London press. The influence of the press, either of the press in general, of a single group of papers, or of a particular paper, has never been a fixed, definite quantity, but has always been subject to permutations and combinations.

The press at one time may seem to partake more or less of the characteristics of primitive man and to exert its influence through

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with Bismarck and these tough old dignitaries," he wrote a friend, "and discovered how even they are recognizing the insignificance of any individual, less than an Emperor, against the power of the press."—W. W. Phelps, cited by R. Cortissoz, *Life of Whitelaw Reid*, II, 141.

[6] C. A. Cooper, *An Editor's Retrospect*, pp. 65, 66.

blare of trumpets and exhortations to strife and battle; at another time the press may be found in the rear rather than with the vanguard. The press may at one time exert its strongest influence on government, while at other times government may be immune to all influence. Again, the effect of the influence of the press may be seen in a single community, or at times it may seem to be exerted over a wide area and affect society in general. The political press is always divided against itself, especially at the time of elections. The religious press has often been so sectarian in character as to dissipate entirely its influence outside of its own denomination. and thereby incur the disapproval of other branches of the press. It was fifty years ago that William Hunt at an English Church conference rebuked the clergy for the opportunity it had lost in not supporting free trade, factory legislation, temperance, and homes for working classes, and in not rebuking bribery and dishonesty. All this work, he found, had to be done by journalists, and the press had thus become more influential than the Church, but in the honor he paid the press the religious press had no share. "It is difficult to understand," he says, "what of religion there is in the so-called religious journals. . . . I do not hesitate to say that, if all the religious journals in the kingdom (except perhaps the *Guardian* and *John Bull*) were extinguished to-morrow, both the church and the world would be greatly the better." [7]

The radical press may seem to one discouraged opponent to be in the saddle and its success be made the justification for demanding greater activity on the part of its rivals. Fitz Roy Gardner believed that "the Radical papers—especially those published in London—did more to bring Mr. Gladstone into power than all the Radical speeches, promises, or pamphlets put together," [8] and this belief served as a text for a blanket arraignment of the inertness of the Tory press. But the complaint of its inactivity could but arouse the Tory press in its own defense.[9] A few years later the least satisfactory feature of the Liberal position in the country was found to be the inefficiency of its press.[10] At other times, in other places, from other men, the radical press has evoked commendation,[11] while at the same times, in the same places, still other men have found satisfaction in establishing periodicals to "resist the unthinking drift towards radical innovation" and to urge on all the "plain duty to co-operate in resisting the teachings of the intellectual radical journals."[12]

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[7] W. Hunt, "The Moral and Religious Influence of the Press," *Then and Now*, pp. 223–227.

[8] Fitz Roy Gardner, "The Tory Press and the Tory Party," (I. A Complaint), *National Review*, May, 1893, 21: 357–362.

[9] Henry Cust, *et al.*, "The Tory Press and the Tory Party,"(II. An Answer), *National Review*, May, 1893, 21: 363–374.

This changing influence of the press is again seen in the case of Germany where Bismarck, after the military successes of the Prussian army, used the press as the chief agency in bringing about national unity. But in other countries the nationalizing tendencies of the press have been scarcely less noticeable. The press to-day everywhere unifies society and gives it common interests, while the rapid expansion of free educational systems has everywhere multiplied its opportunities. The great news-collecting agencies give common knowledge to the country as a whole, and, as de Tocqueville long ago pointed out, when many representatives of the press adopt the same policy, the influence of the press becomes well-nigh irresistible.[13] This influence of the press to-day in unifying the interests of society is of greater importance than is its influence on governments, or on political parties. These are the agencies through which society works and the influence brought to bear on society as a whole has necessarily a more far-reaching effect, than it has when working directly on its agents.

But in this consideration of the influence of the press, the changing impulses and interests of society itself must be remembered. At one time its interests have centered about kings and courts, at another time about feats of arms and physical prowess, and again at others about ecclesiastical forms and ceremonies. In turn, it has been the drama, the public lyceum, the open forum, and educational agencies, that have commanded attention. And again, it has been some form of passive amusement or entertainment that has supplanted more positive creative interests. As each spontaneous interest has come in turn to be controlled by some outside force, it gives place to some new interest.

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[10] W. J. Fisher, "The Liberal Press and the Liberal Party," *Nineteenth Century and After*, August, 1904, 56: 199–206.

[11] C. E. Russell, "The Radical Press," *Bookman*, July, 1919, 49: 413–518.

[12] *The Review*, Prospectus and advertisements, daily press, May 16, 1919.

[13] A. de Tocqueville, *Democracy in America*, I, 201.

All of these are but suggestions of the fact patent to all that the influence of the press is conditioned by the country and the period in which it appears; by the frequency of its issue; by its international, national, provincial, or local characteristics; and by its own varying personality.

It must therefore be iterated and reiterated that however fashionable it may be to attack "the press" as committing all the sins of the decalogue, and therefore as exerting only and everywhere a malevolent influence; that however charitable it may seem to defend "the press" against all of these fashionably virulent attacks, neither attack nor defense throws any light on what is the real influence of the press. It may be possible to compute with scientific exactness the distance of the earth from the farthermost visible star, but it is impossible to gauge in any but the crudest terms the influence, whether for good or for ill, of the smallest paper published in the smallest village.

It seems possible, however, to determine certain broad currents of influence where conditions have fairly well defined these currents. In certain classes of the press, as in the political press, many concrete examples of direct and indirect influence are found that seem to justify certain definite conclusions without in any sense justifying the projection of these conclusions into other areas.

It is in England that the importance of the political press is most clearly recognized, but this recognition scarcely existed in England during the seventeenth century,—a long succession of government officials had seen to it that the press was innocuous and the controversies between governments and newspapers were mere skirmishes in comparison with the well-defined warfare of latter times. It was Robert Harley, says Trent, who in employing Defoe had "a clearer conception than any other statesman of the period of the important part the press might be made to play in politics." [14]

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[14] W. P. Trent, *Daniel Defoe: How to Know Him*, p. 60.

Swift, "the prince of journalists,"[15] was a pamphleteer rather than "a newspaper man" in the modern sense, but his achievements in this rôle were noteworthy. His part in influencing foreign policy is perhaps less distinctly traceable than that seen on domestic policy in the *Drapier's Letters*, written in 1724 in opposition to the contract obtained by William Wood from the English government for the right of coining copper farthings and halfpence for use in Ireland. It seems probable that Ireland then much needed this coinage, but home rule flared up in the Fourth Letter where Swift raised the question as to the King's prerogative in coining money, and the right of an English ministry to impose on the independent kingdom of Ireland a contract to which her legislature was not a party. Questioning the King's prerogative reversed the attack and led to a bill against Harding, the printer of the Fourth Letter, whereupon Swift wrote "Seasonable Advice to the Grand Jury concerning the bill preparing against the printer of the Drapier's Fourth Letter,"—advice that led the grand jury to throw out the bill against Harding, and to the still further results that all Ireland was roused through the tremendous influence of the *Drapier's Letters*, the contract with Wood was abandoned, and nearly a century later a writer could complacently tell of the time "when Drapier's Letters, written by Swift, liberated Ireland from the imposition of patent money."[16]

The influence of the press during the times of Robert Walpole was largely directed by the secret service funds of the ministry, though the same writer could with the same complacency advert to the days "while lord Bolenbroke, Caleb D'Anvers, and a few eminent writers, by means of the 'Craftsman,' gave a mortal stab to the administration of Sir Robert Walpole, and prevented the completion of a general excise."[17]

William Jerdan became in 1813 the editor of the *Sun*, "then an acknowledged organ of Pitt politics and ministerially informed and supported as such," and as such he "spared neither rhyme nor reason to sustain the cause to which [he] vehemently, and conscientiously adhered."[18] This position he felt gave him command of the situation and fourteen years later he wrote to Canning that he occupied a singular position in the literary world and might claim some merit in having made his journal so widely influential. The result was, he felt, that from the highest to almost the lowest class of public writers he was of sufficient importance to possess a very considerable weight with them. Through all gradations of the periodical press he could do much to modify opinions, heat friends, and cool enemies. If "any mark of favor" could be shown him by Canning, he would "undertake to produce very beneficial consequences throughout the whole machinery of the press. It requires but cultivation."[19]

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[15] H. Paul, "The Prince of Journalists," *Nineteenth Century*, January, 1900, 47: 73–87.

To A. D. Vandam, it was Girardin who was "the king of the journalists,"—*Fortnightly Review*, August, 1897, n. s. 62: 259–276.

[16] A. Stephens, *Memoirs of John Horne Tooke*, I, 324.

[17] *Id.*

Canning was apparently unappreciative of the opportunity and a fortnight later Jerdan again presses the matter and begs of him "an obvious and substantial mark of his favor and confidence," which he most sincerely promises to employ entirely in Canning's cause. "I hope," he continues, "it may be anticipated that I would proceed with delicacy and discretion. My connection with the press being altogether literary renders me liable to no suspicion." Canning thought otherwise and replied, through his secretary, that since "one of the great grounds of attack on the Government is the influence possessed by it over the press," it is absolutely necessary that he should be able to deny in the House of Commons that the influence of the Government had been employed to induce the press to support it and he therefore can not adopt the project proposed by Jerdan.[20]

The journalist with his desire for "any mark of favor," and the minister anxious to avoid the appearance of evil, seem fairly typical of the relations between the press and the government in the early part of the nineteenth century. It was not wholly disinterested influence that the press desired to lay at the feet of the Government and the Government reluctantly, like Caesar, put aside the crown.

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[18] *Autobiography*, I, 157, 163.

[19] E. J. Stapleton, *Some Official Correspondence of George Canning*, II, 367–368.

[20] *Ib.*, II, 369, 370.

The importance attached to the press in the conduct of English political affairs is again evident in the case of the Duke of Wellington. As commander of the English armies in Spain he had expressed in no uncertain terms his entire and hearty disapproval of the press in general and *The Times* in particular, but "the shoe was on the other foot" when he became Prime Minister and it was represented to him that the London *Times* was disposed to support the Tory ministry. Charles Greville said to him that "it would be very advisable to obtain that support if it could be done." The Duke admitted that he had formerly too much neglected the press, but he unconsciously paid a tribute to it in saying that he did not think *The Times* could be influenced.[21] Greville was not so sure, and he later reports a conference with Thomas Barnes, the editor, of whom Lord Lyndhurst had said, in answer to an inquiry, "Why Barnes is the most powerful man in the country."[22] Lord Lyndhurst went with Greville to call on the Duke of Wellington to "talk to him on the subject, for he was evidently a little alarmed, so great and dangerous a potentate is the wielder of the thunders of the press,"[23]—a comment that would much have amused Henry Crabb Robinson who, as correspondent of *The Times* in Spain, had had experience with the Iron Duke's opinions of the press. Lord Lyndhurst later gave a dinner to Barnes that "made a great uproar," since even the editor of *The Times* was not then considered eligible to dinner parties given by lords. But it apparently sealed the compact between Barnes and the Ministry. The editor put on paper the terms on which he would support the Duke;—the Ministry was to make no mutilation in the reform bill, to adopt the reform measures agreed on with reference to the Church and corporations, and to make no change in foreign policy. Barnes on his part agreed to support the Government. But Greville later reports Barnes as being "much nettled at not having received any specific answer to his note stating the terms." [24] All the elaborate stage setting, however, came to naught since the ministry of Wellington was short-lived, being only a stop gap between that of Lord Melbourne and that of Peel who was then in Italy.[25]

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[21] *The Greville Memoirs*, ed. by H. Reeve, III, 150.

[22] *Ib.*, III, 156.—Greville says that Sir Denis Le Marchant related that he once called on Barnes at his home where later Lord Durham also called on behalf of the King of Belgium who had been much annoyed by an article in *The Times*. Lord Durham entreated that *The Times* would put in a soothing article to heal the wounds caused by the earlier one, and Greville adds, "As Le Marchant said, here was the proudest man in England come for to solicit the editor of a newspaper for a crowned head!"—*Memoirs*, VI, 75.

[23] *Ib.*, III, 157.

The Ministry of the Duke of Wellington was long enough, however, for him to revert to his inborn fear of the power and influence of the press, and in 1830 he directed the Attorney-General to prosecute the *Morning Journal* for libels against the King, the government, and himself individually,—a policy that evoked the criticism that "perhaps no act of the Duke of Wellington has ever injured him so much as this." [26]

Canning's caution, already noted, was later continued in Sir Robert Peel who, in resigning office, wrote to Edward Sterling under date of April 18, 1835: "Having this day delivered into the hands of the King the Seals of Office, I can, without any imputation of an interested motive, or any impediment from scrupulous feelings of delicacy, express my deep sense of the powerful support which that Government over which I had the honour to preside received from the *Times* Newspaper." [27]

With ministers bowing themselves out of office with courteous thanks for the support given them by humble editors, the stage was cleared for the entrance of the great Delane who, Henry Reeve says, "owed to Mr. Greville his first introduction to political society." [28] But if this was true, in the beginning, Delane later parted company with the kingmaker and went his own way. Greville did indeed write, February 17, 1855, "The 'Times' is going into furious opposition, and Palmerston will soon find the whole press against him except his own paper, the 'Morning Post,' and the 'Morning Chronicle,' neither of which have any circulation or any influence in the country." But two days later he wrote, "The press, with the 'Times' at its head, is striving to throw everything into confusion, and running amuck against the aristocratic element of society and of the Constitution. The intolerable nonsense and the abominable falsehoods it flings out day after day are none the less dangerous because they are nonsense and falsehoods, and backed up as they are by all the regular Radical press, they diffuse through the country a mass of inflammatory matter, the effect of which may be more serious and arrive more quickly than anybody imagines." [29]

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[24] *The Greville Memoirs*, III, 157.

[25] *Ib.*, III, 155.

[26] H. Martineau, *History of the Peace*, I, 543; "The Duke of Wellington's Prosecution of the 'Morning Journal'," in A. Fonblanque, *England Under Seven Administrations*, II, 26–34.

[27] T. Carlyle, *Life of John Sterling*, p. 306.

[28] *Greville Memoirs*, V, 3, Note. It must be remembered that Reeve was long on *The Times* staff, and "guided its foreign policy for fifteen years," so one of his biographers states,—a statement whose accuracy would probably be questioned by the biographers of Delane. He was dismissed by John Walter for officiousness during Delane's absence on the Continent. Reeve, however, felt that *The Times*, rather than himself, suffered by the enforced separation, and later he affably writes, "The influence of the 'Times' newspaper during the ensuing ten or fifteen years [corresponding to his own connection with it] can hardly be exaggerated, and, as compared with the present state of the press, it can hardly be conceived. Not a little of this influence was due to those who assisted the staff of the paper by information and counsel." Reeve courteously adds that Greville "played an active and important part" in this.—*Greville Memoirs*, V, 3, Note.

Delane edited *The Times* for thirty-six eventful years that covered in domestic affairs the Chartist Movement, the repeal of the Corn Laws, and a parliamentary reform measure, while in foreign affairs they included the Crimean War, the American Civil War, the Franco-Prussian War, the establishment of the German Empire, the formation of the Third Republic in France, and the unification of Italy. During all these years the influence of *The Times* was apparently enormous in the aristocratic class to which, owing to its high price, its circulation was confined.[30] It was apparently in the main wise and beneficent, in spite of critics like Matthew Arnold, and Henry Reeve,—after his retirement from the paper. The exposures of the inefficient management of the Crimean War and its support of W. H. Russell in reporting it were instrumental in bringing about improvement, and its success in averting European war in 1875 showed again the important part that a great daily can take in public life.[31]

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[29] *Greville Memoirs*, VII, 242, 243.

[30] Even in the aristocratic class, *The Times* had rivals. The lives of Delane by A. I. Dasent and Sir E. T. Cook may well be compared with the work of R. Lucas on *Lord Glenesk and the 'Morning Post.'* See, *e. g.*, divergent accounts of the *coup d'état* of 1851 and Napoleon III.

[31] De Blowitz, the Paris correspondent of *The Times*, in 1875 sent Delane information that Europe was on the verge of war. The Duc de Decazes, the French foreign minister, had received a confidential letter from the French ambassador in Berlin showing that Germany was thinking of attack-

But other papers also influenced the course of political parties and the *Non-Conformist*, started by Edward Miall in 1841—the year in which Delane became editor of *The Times*—and edited by him for forty years, shows the opposition of other classes in England to all aristocratic forms of government, to a state Church, and to class legislation,—an opposition that it apparently had much share in shaping. It supported the anti-corn law movement and aimed "at a reconciliation of the middle and lower classes upon the principal point in the People's Charter, namely, the extension of the suffrage." It was influential in effecting a union of the most progressive workers for both causes and largely through its efforts the number of Dissenters in the House of Commons was greatly increased.[32]

Edward Baines had somewhat earlier shown how important an influence could be wielded by a provincial paper like the *Leeds Mercury* that was liberal in politics and non-conformist in religion, and how much it could accomplish for parliamentary reform.[33]

The London press again took a prominent part in influencing the English public in regard to the Eastern question. Mr. Edwin Pears, the correspondent of the *Daily Mail* at Constantinople, sent that paper information of rumors of atrocities in Bulgaria committed by the Turks. These were denied by the Turkish government, the denials were accepted by the English government under Disraeli, and the general public thought the accounts must be greatly exaggerated. The *Daily Mail* sent out a special correspondent—J. A. MacGahan, an American journalist—who was accompanied by Eugene Schuyler, the American Consul-

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ing France. This letter was shown de Blowitz who urged that only publicity would restrain Germany from making the attack. Delane sent Thomas Chenery to Paris to investigate the matter, he himself made full inquiries in London, and after fully satisfying himself of the reliability of the charges, published the exposure. "The effect produced by the revelation of the German plot was instantaneous, universal, and profound," and Delane wrote de Blowitz, "No greater honour than to have averted war is within the reach of the journalist."—H. de Blowitz, *My Memoirs*, Chap. V; E. T. Cook, *Delane of "The Times,"* pp. 248–251; A. I. Dasent, *John Thaddeus Delane*, I, 177–178.

[32] Arthur Miall, *Life of Edward Miall.*—The work contains many editorials, entire or in part, showing the influence of the *Non-Conformist* on party legislation.

[33] Edward Baines, *The Life of Edward Baines*, Chap. III, pp. 33–46.

General for Turkey. The letters sent by MacGahan more than confirmed the rumors reported by Edwin Pears, they were widely read, Gladstone wrote his pamphlet *The Bulgarian Horrors and the Question of the East*, resolutions of thanks to the *Daily Mail* were passed at public meetings, Disraeli was defeated at the next election, and Gladstone again became Prime Minister.[34]

Journalists have sometimes been unduly proud of this influence of the press on ministers of government. W. T. Stead wrote in 1886: "I am but a comparatively young journalist, but I have seen cabinets upset, Ministers driven into retirement, laws repealed, great social reforms initiated, Bills transformed, estimates remodelled, programmes modified, Acts passed, generals nominated, governors appointed, armies sent hither and thither, war proclaimed and war averted, by the agency of newspapers," and he adds, " 'Take care of the *Pall Mall Gazette*,' said Mr. Gladstone in 1874, jokingly to a Conservative Minister. 'It upset me; take care lest it does not upset you.' "[35] This reads like a defense, as indeed such was its probable intent, of the influence of the *Pall Mall Gazette* in sending General Gordon on his fatal expedition to Khartoum. Other journalists, however, did not take quite so lightly this influence exerted by the press, and the comment of Wemyss Reid on Stead, who "calmly undertook the direction of the foreign policy of Great Britain, and ordered Ministers to do his bidding with an audacity which would have been absurd but for the fact that Ministers seemed ready to take him at his word," was that "he was not in the least disconcerted when he found that his advice had involved the country in the tragical and disastrous expedition for Gordon's relief." But

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[34] F. M. Thomas, *Fifty Years of Fleet Street*, pp. 183–187; J. Morley, *Life of Gladstone*, II, 156–163; W. E. Gladstone, *The Bulgarian Horrors and the Question of the East;* F. L. Bullard, "J. A. MacGahan," *Famous War Correspondents*, pp. 115–154; S. J. Reid, *Memoirs of Sir Wemyss Reid*, pp. 224–227.

[35] W. T. Stead, "Government by Journalism," *Contemporary Review*, May, 1886, 49: 653–674.

This was matched in France when the *Journal des Débats* was able to say to Villèle "J'ai renversé le ministère Decazes, je vous renverserai."—E. Biré, *Alfred Nettement*, p. 176; A. Nettement, *Histoire du Journal des Débats*, II, 57–58.

The different qualifications demanded for success in journalism and in administration are also illustrated in France where in 1848 journalists for a time took charge of the government.

Reid's own verdict on the principle involved was expressed in saying, "If at any time in my life I had been inclined to believe in government by newspapers, I should certainly have been cured of the delusion after seeing what a mess even so brilliant a journalist as Stead made of the attempt to control the policy of a nation from an editor's desk." That the responsibility of the *Pall Mall Gazette* was generally conceded is evident from Stead's own comment to Reid: "John Morley told me yesterday that I ought not to be able to sleep in my bed at nights for thinking of all the men who have lost their lives over this business." [36]

That Lord Cromer himself had accepted the leadership of Stead and the press is evident from his own words. "Who was responsible for sending General Gordon [to the Soudan]?" he asks, and he answers his own question in saying, "In a sense, the main responsibility rests with the press of England, and, notably, with the *Pall Mall Gazette*. The people of England, as represented by the press, insisted on sending General Gordon to the Soudan, and accordingly, to the Soudan he was sent. 'Anonymous authorship,' one of the wisest political thinkers of modern times has stated, 'places the public under the direction of guides who have no sense of personal responsibility.' The arguments in favour of newspaper influence are too commonplace to require mention. But newspaper government has certain disadvantages, and these disadvantages were never more clearly shown than in the incident now under discussion." [37]

That Stead, however, while not insensible of the criticism at the time and of that given later, was of the same opinion still is evident from an article written twenty-two years later in reply to this attack by Lord Cromer. In this article he says that all that relieves the dreary narrative of ruin of the Soudan is the Gordon expedition,—"the issue, therefore is fairly joined between us." [38]

[36] S. J. Reid, *Memoirs of Sir Wemyss Reid*, p. 346.

[37] The Earl of Cromer, "The Gordon Mission," *Modern Egypt*, I, 417–439.

[38] W. T. Stead, "Lord Cromer and Government by Journalism," *Contemporary Review*, April, 1908, 93: 436–449.

He had expressed the same opinion in the article, "Government by Journalism," *Contemporary Review*, May, 1886, 49: 653–674. See also F. Greenwood, "The Press and Government," *Nineteenth Century*, July, 1890, 28: 108–118.

The recent relations between the Northcliffe press and the English Ministry are again illustrations of the influence of the press in making and unmaking ministries.[39] The attack on Lord Kitchener, the establishment of the ministry of munitions, the downfall of the Asquith ministry, and the selection of Lloyd George as prime minister, were all undoubtedly the work of Lord Northcliffe and his string of papers. The arrangement was at the time satisfactory to the new prime minister, for, as H. W. Massingham has suggested, his earlier experience had taught him to rely on two forces, one of which was the press, "association with which he developed to a point in excess even of Mr. Joseph Chamberlain's diligent cultivation of it." [40] The rupture threatened later between the kingmaker and the minister was possibly averted by the nature of the British constitution in which the direct influence of the press on the Government is more powerful than it is in America. Under the normal two-party system of government, each party has its own press supporters, but under a non-party, or an all-party arrangement it is necessary for the government to depend on the press in general since it can not dispense with the influence of the press and it has no party paper at command.

On the other hand it brings the temptation to the most powerful representatives of the press to attempt to control the government. The result of such a situation is an outward, temporary truce between the press and government; the desire to secure

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R. C. Jebb speaks of the quickness with which public opinion was moved by the press when General Gordon was sent to the Soudan and he notes "the double power wielded by the newspaper press, at once as the ubiquitous instructor and as the rapid interpreter of a national mind."—"Ancient Organs of Public Opinion" in *Essays and Addresses*, p. 128.

[39] "Obviously what England thinks is largely controlled by one man; not by the direct expressions of any opinion of his own but by controlling the distribution of emphasis in the telling of facts, so stressing one group of them day after day and keeping another group in the background as to make a given conclusion inevitable."—Norman Angell, *The British Revolution and the American Democracy*, pp. 244–245.

[40] H. W. Massingham, "Lloyd George and his Government," *Yale Review*, July, 1917, 6: 727–737.

The merits of Lord Northcliffe as ministerial critic are somewhat redundantly set forth by W. E. Carson, *Northcliffe Britain's Man of Power* especially in Chap. I, "When England Awoke."—The saner version is that of A. G. Gardiner, "'The Times'," *Atlantic Monthly*, January, 1917, 119: 111–122.

greater freedom of the press is subordinated to a desire to curb the influence of the press; the government regulation of the press enlarges into the desire of the government to secure entire control of the press; the desire of the press to control the government leads to dissensions in the press as to which element in it is to exercise this control. The oscillations of the Northcliffe press during the war, the apparent feeling of the government that it must keep on good terms with it, the disapprobation of the Northcliffe press on the part of other scarcely less powerful representatives of the British press, all combined to give the press a great opportunity for legitimate influence that it perhaps did not and could not improve.[41]

An impassioned protest against this dissension in the press was made by Austin Harrison in urging that English editors ought to unite. "For the first time since 1870," he says, "the editors of France made peace nationally, in order to fight nationally." But the English press failed in solidarity and these dissensions made for irresponsibility. "If only the editors of our great Press," he urged, "would get together and pledge themselves to treat the situations which arise, and as they arise, conjointly on national lines, immediately, there and then, the country would have the necessary unity." [42]

Yet only a month later, Sir H. H. Johnston wrote with pride, in the same review, that "every great movement of reform and development was initiated in the Press,—Catholic emancipation, the suppression of the slave trade, the abolition of slavery, parliamentary reform and the extension of the suffrage, the first Divorce Bill, free trade and the reform of the navigation laws, the measures for the protection of British industries, were thus placed before public consideration." And he adds that since 1832 no Government has been strong enough to carry through measures opposed by a majority, or even a strong minority of Press organs.[43]

[41] An important article on the subject is that of H. Cox, "The Power of the Press," *Edinburgh Review*, April, 1918, 227:383–391.

[42] Austin Harrison, "The Responsibility of the Press," *English Review*, August, 1915, 21:113–123.

[43] H. H. Johnston, "The Press and the Government of the Day," *English Review*, September, 1915, 21:166–177.

An important feature of the Institute of Politics, at Williamstown, Massachusetts, in 1922, was the discussion of the part played by interna-

This development of the press from the narrow field of influence in politics into the larger realm of world affairs is again illustrated by the English press. When Charles Morley became the private secretary of his uncle, John Morley, who in 1880 became the editor of the *Pall Mall Gazette*, J. P. Collins writes that "those were the days when the Press had ceased to be merely a goad in politics; it was entering more and more into the field of collaboration and suggestion, and inviting the public to join in the game. When Greenwood [44] had inspired a masterstroke of policy in the shape of the Suez Canal investment, it remained for his successor to enter day after day into the work of constructive Liberalism." [45]

At times it seem spossible to trace in other countries this political influence of the press with a fair degree of certainty. During the Revolutionary War, Samuel Adams recognized the power of the newspaper in directing public opinion. "He had the instinct of a great journalist," says Moses Coit Tyler, "and of a great journalist willing to screen his individuality behind his journal." [46] He wrote innumerable letters to the press, used a wide range of signatures, and in season and out of season urged the cause of the patriots.[47] The work of other Colonial leaders like John Otis, John Hancock, Joseph Warren, was also felt through the press, and all of them under assumed names contributed to the *Boston Gazette* and thus helped to form public opinion against England and its colonial appointees.[48]

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tional journalists in the shaping of public opinion and, consequently, of foreign policies. Distinguished European and American journalists gave the Institute the benefit of their experience and observation and they thus personally made important contributions to international friendships.—Daily press covering the sessions of the Institute, July 27–August 25, 1922.

[44] Frederick Greenwood was the predecessor of John Morley in the editorship of the *Pall Mall Gazette*.

[45] J. P. Collins, "Charles Morley: A Memoir," in Charles Morley, *Travels in London*, pp. 3–48.

[46] M. C. Tyler, *Literary History of the American Revolution*, II, 8.

[47] W. V. Wells, *Life of Samuel Adams*, I, 444–445, Note.

"The doctrine of Independence was not taken up and advocated by responsible statesmen in America until many months after it had found more or less open championship among the song-writers and newspaper humorists who, protected by their obscurity, thus flung up into the air a dangerous thought which was already slowly fermenting in the minds of the people."—M. C. Tyler, *Literary History of the American Revolution*, I, 257. Note.

[48] C. A. Duniway, *The Development of Freedom of the Press in Massachusetts*, pp. 123–124.

During the year and a half that intervened between the adoption of the Federal Constitution by Congress and its ratification by the States it was through the columns of the press that Hamilton, Madison, and Jay urged the excellence of the proposed constitution as an instrument of government and turned public opinion in its favor.

During the Civil War it was the influence of the New York *Tribune* that was credited with having made possible the election of Lincoln,[49] and the war cry of the *Tribune* "On to Richmond," both in its influence and in its disastrous results, paralleled the similar demand of the *Pall Mall Gazette* for the Gordon expedition to the Soudan.

But in 1917, with practically every influential daily in New York City supporting Mayor Mitchel and opposing the Tammany candidate, the latter carried the city by an overwhelming majority. This does not in itself prove the declining influence of the press, but rather that Tammany has been a solid rock insusceptible of influence,—the influence of the press could operate only outside of it. The result of the New York municipal election in 1917 may, however, indicate the declining influence of the editorial columns of the daily press as leaders of opinion and the transfer of such influence to the rising progressive weeklies having the courage of their convictions. It is possible again that the metropolitan daily is reverting to type and that it may eventually omit editorials and, like the first newspapers, give only news. The apparent surprise of the press of all parties over the results of the nominating conventions of 1920 again seemed to indicate the waning influence of the daily press in pre-nominating national politics. But on the other side it must be noted that the Democratic defeat in the congressional elections in 1918 was by many attributed to the opposition of the press to the postal zone law for periodicals. It seems probable, however, that this can have been only a slight contributory factor, especially since the influence of the press, almost unanimous in its opposition to the postal zone bill, had not been strong enough to prevent its passage.

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[49] M. W. Hazeltine, "Charles Anderson Dana," *North American Review*, July, 1907, 185: 505–514.

The political press, like every other branch of the press, has had its ups and downs. At one time its influence has been great, at another it has apparently been negligible. Here again the influence has been exerted by Government or by organized political parties rather than directly by the press acting on its own initiative. Lord North, in July, 1774, sent out handbills offering five hundred pounds to the printer who would steadily advocate and promote all ministerial measures, and it has been suggested that it was possibly this offer that led James Rivington to change his policy from one of a neutral to that of a violent Tory.[50] To-day political parties apparently rely less on the press, secret funds are used elsewhere, and the perfection of party organization makes political parties in a sense independent of the press. It has been possible to carry important political elections in the face of the united opposition of the press of all shades of political opinion. This is but another way of saying that the political press is becoming less partisan and more independent and that its influence is being felt to a greater extent in other fields. An eminent authority on the press has indeed said somewhat recently that the test of the influence of the press is the political one, that its power is usually judged by its ability to make or to break candidates for office, and to carry elections.[51] But conditions are never stationary and changes in political organization and in methods of securing its ends have shifted the balance of the influence of the press from politics to an interest in promoting all social welfare and philanthropic work, all matters of public health, fresh air campaigns, Red Cross activities, liberty and victory loans, funds for united war workers, and similar public activities. All these movements have been eagerly supported by the press, and the influence it exerts in these fields can be approximately measured by the lists it publishes of contributors and of contributions. In all of this comparative freedom from subterranean political control, the press is but falling into line with other activities and evincing a desire for publicity and freedom from suspicion.

[50] C. E. and B. E. Martin, "The New York Press and its Makers in the Eighteenth Century," *Half Moon Series*, II, 121–162.

[51] Rollo Ogden, "Journalism and Public Opinion," *Proceedings of the American Political Science Association*, 1912, 9: 194–200.

It is thus seen that the question of the influence of the press on governments and on political parties, almost less than any other that can be raised, admits of a general answer. Time and place and persons have ever conditioned it and no more to-day than for three hundred years past is it possible to make a sweeping statement in regard to the nature and the extent of the influence exerted by the press on the conduct of public affairs. In one country at one time, under the guidance of a masterful personality, the press may seem omnipotent. It may set up or overthrow governments, it may influence a government to prosecute or to close a war, to despatch expeditions to remote places, or compel it to withdraw those already sent. It may be the first to announce important changes in policy decided on by ministries and it may seem to be the power behind the throne on which monarchs or peoples sit. But at other times, the influence of the press may seem to disappear to the vanishing point.

The political influence wielded by the press is probably best illustrated by the press of England. But another great group of influences exerted by the press is world-wide in scope. To-day the world is reaping the harvest of international hatreds that have long been fostered through the press,—sometimes thoughtlessly, sometimes unconscious of the far-reaching results entailed, sometimes directly abetted by governmental authorities. The part taken by the press in bringing on specific wars and in inflaming the public in regard to specific events, like the sinking of the *Maine* and of the *Lusitania*, has long been recognized, but these have been but the crises in long-fomented international hatreds fostered by the press of all countries. It has apparently been always and everywhere a case of the press of every country against the press of every other country as well as against all other countries. In this the press only reflects the all but universal tendency to exalt one's own country and to humiliate all others. Years ago Matthew Arnold wrote, "The well-to-do Philistine looks to get his own view of the British world,—that it is the best of all possible worlds as it is, because he has prospered in it,—preached back to him *ore rotundo* in the columns of the *Times*."[52]

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[52] Matthew Arnold, *Friendship's Garland*, p. 37.

How far international hatreds originate with the press, how far they are recorded by the press, how far they are inherent in human nature; to what extent the responsibility for them must be apportioned among the representatives of the press, authority, and imperfectly developed, selfish human beings, are questions that can not be definitely answered—and they are questions that seriously handicap the historian in his use of the press. Yet history indicates the long existence of these hatreds. To the Greeks all others were barbarians; to be a Roman citizen was by the Roman regarded as the highest position attainable; the citizen of another city was everywhere an alien; mediaeval feudal society was organized on a self-protecting basis and mediaeval industry in self-protecting guilds. At all times certain races, as the Jews, have been the objects of attack, and representatives of the press have been charged with efforts "to elevate personal hatred of the Jews to the height of a great principle."[53]

Ask the man to-day sharing your seat in the railway coach and he will say that he dislikes all foreigners; the household cleaner with strong foreign accent laments that she must move because her street is now filled with "foreigners" who have come here only a few years later than herself. Churches, schools, political parties, social clubs, musical societies, are all organized on the national basis and more or less unhappiness follows the overstepping of these national lines. The Easterner is a stranger in the West, the Westerner is an alien in the South, the Southerner is ill at ease in the North, and the Northerner finds no place like home. Even in those circles where national and provincial ties seem somewhat weakened through international trade, travel, and mutual association, the innate hostility to the foreigner still persists and never seems to be wholly destroyed. International socialism that had bound together the socialists of all nationalities broke under the strain of international conflicts. Academic honors conferred by foreign universities and decorations bestowed by foreign governments were repudiated under the strain of war.

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[53] A Resident in Paris, "French Journalism," *National Review*, September, 1895, 26: 74–82.

An important report was made in 1916 on the method used by the military censor in Russia "to fan the flames of racial antagonism and hatred by having the Jew proclaimed as an enemy of Russia, more to be feared even than the German invader." Many articles were printed in the Russian press to counteract this influence, "but they never escaped the destructive blue pencil of the censor."—The exhaustive report made is given apparently in full in the New York *Times*, October 8, 1916, and is a lamentable illustration of the power of authority over the press.

In the face of these inborn national antagonisms that have existed as far back as human history can be traced, it seems unreasonable to charge their existence to-day to the press. Race antagonism existed thousands of years before the press came into existence and race antagonism developed into national antagonisms. While these have not been caused in any way by the press, the press in recording them has at least done something to maintain them. In not using its influence against them, the press is open to criticism.[54] Not until education has eliminated race hatred can the press record aught but race hatred and never can the spring rise higher than its source.

Evidences of the vigorous survival of these national hatreds and of their perpetuation through the press are found on every side. It is possible to search English literature and the English periodical press covering more than a century and to find in it scarcely a word or even an allusion showing anything but a contemptuous attitude towards the American newspaper press. Matthew Arnold was not alone among Englishmen in thinking the American press "contemptible,"[55] and it seemed to be a mark of civic virtue to set forth all of its enormities to the reading public. Dickens had long before set the pace in his *American Notes* and in *Martin Chuzzlewit*,[56] and Albany Fonblanque superciliously

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[54] W. C. Deming, *Opportunity and duty of the press in relation to world peace.*

[55] See not only Matthew Arnold's letters written from America, but his article, "Civilization in the United States," *Nineteenth Century*, April, 1888, 23: 481–496.

[56] Dickens' strictures are well forgotten, but it is not amiss to recall one passage from *Martin Chuzzlewit* since it shows so clearly that Dickens' love of picturesque language often got the better of his sense of proportion. It need not be pointed out that newsboys do not cry long and complete paragraphs to sell their papers, but the sting remained in the descriptions attributed to them:

" 'Here's this morning's New York Sewer!' cried one. 'Here's this morning's New York Stabber! Here's the New York Family Spy! Here's the New York Private Listener! Here's the New York Peeper! Here's the New York Plunderer! Here's the New York Keyhole Reporter! Here's the New York Rowdy Journal! Here's all the New York papers! Here's wrote, "Cobden says truly that nobody in America would buy a newspaper a day old, and the only surprise is that anybody will buy so meagre a thing even for its day. But what an admission is this of the ephemeral character of the Press to which ours is to be assimilated! In many of our newspapers there are articles which are talked of, looked for, and sought out long after their day, while in America . . . !"[57] And this later serves as a whip for the English press when he says: "Our Press is just now [1842] ringing with attacks upon the Americans for supporting a trade in slander, and with what consistency can we throw the stone of this vulgar vice, the foul appetite of the craftiest minds, while so much of it exists in our community? It is as much the policy of Society to protect the reputations of its members, as to protect their lives, their persons, and their properties."[58]

Scores of articles in the English periodical press, letters from travellers, descriptions of America all show this subtle depreciation of the American press (and incidentally of Americans). The yellow press, the sensational press, the Sunday press, the comic supplement, the headline, the flaunting advertisement, the men

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full particulars of the patriotic locofoco movement yesterday, in which the whigs was so chawed up; and the last Alabama gouging case; and the interesting Arkansas dooel with Bowie knifes; and all the Political, Commercial, and Fashionable News. Here they are! Here they are! Here's the papers, here's the papers!'

" 'Here's the Sewer!' cried another. 'Here's the New York Sewer! Here's some of the twelfth thousand of to-day's Sewer, with the best account of the markets, and all the shipping news, and four whole columns of country correspondence, and a full account of the Ball at Mrs. White's last night, where all the beauty and fashion of New York was assembled: with the Sewer's own particulars of the private lives of all the ladies that was there! Here's the Sewer! Here's some of the twelfth thousand of the New York Sewer! Here's the Sewer's exposure of the Wall-Street Gang, and the Sewer's exposure of the Washington Gang, and the Sewer's exclusive account of a flagrant act of dishonesty committed by the Secretary of State when he was eight years old; now communicated, at a great expense, by his own nurse. Here's the Sewer! Here's the New York Sewer, in its twelfth thousand, with a whole column of New Yorkers to be shown up, and all their names printed! Here's the Sewer's article upon the Judge that tried him, day afore yesterday, for libel, and the Sewer's tribute to the independent jury that didn't convict him, and the Sewer's account of what they might have expected if they had! Here's the Sewer, here's the Sewer! Here's the wide-awake Sewer; always on the look-out; the leading Journal of the United States, now in its twelfth thousand, and still a-printing off:—Here's the New York Sewer!' "—Dickens, *Martin Chuzzlewit* (1843–1844).

[57] E. B. de Fonblanque, *The Life and Labours of Albany Fonblanque*, p. 62.

[58] *Ib.*, p. 447.

"at work everywhere ready to watch for a new star in the heavens or to chronicle a new kind of murder in Massachusetts,"[59]—all is evil and there is nothing of good in it. Even political alliances and mutual need of national friendship have not appreciably lessened the subtle disparagement of the American press on the part of those whose personal acquaintance with it has presumably been slight.[60] The classification once made that the American press belongs to the reporters while the English press belongs to the leader writers,[61] has probably, in the eyes of Englishmen, fixed definitely and finally the relative position of the press of the two countries.

Goldwin Smith found a parallel situation fostered by the attitude of the English press towards Canada. "You know the English press," he wrote to G. W. Smalley from Toronto, October 2, 1894. "Is there a single journal open to the truth about the Canadian question? The wilful blindness of the English people on this subject reminds me of the eve of the American Revolution. They believe the *Times*, I suppose, when it tells them that Canada is thirty-five per cent of the British Empire and that the exodus from Canada to the States, comprising the flower of our youth, is the elimination of the weak who are unable to bear our bracing climate." [62]

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[59] "A Newspaper Office," London *World's Work*, January, 1903, 1: 170–179.

"No civilized country in the world has been content with newspapers so grossly contemptible as those which are read from New York to the Pacific Coast."—Charles Whibley, "The Yellow Press," *Blackwood's* April, 1907, 181: 531–538.

J. W. Forney in 1867 wrote that "all the letters written by the correspondents of the London *Times*, *Telegraph*, and *Standard*, from Philadelphia, New York, and Washington, are filled with deliberate misstatements of American affairs, expressly to excite resentment against our institutions and people."—*Letters from Europe*, p. 75.

Punch, even before the Civil War, contributed its share to the ridicule of America. During the Mexican war and the controversy over Oregon every opportunity was apparently taken to show the American press in an unfavorable light. See *passim*, M. H. Spielmann, *The Hitherto Unidentified Contributions of W. M. Thackeray to "Punch"*, and *History of Punch*.

[60] An important English work published in 1920 runs true to type in stating that "perhaps the real reason for the American indifference to the newsroom [in a public library] is the sensational and vulgar tone of a considerable portion of the newspaper press. Some American newspapers are free from such undesirable and objectionable features as sensational and untrue comments on current events, vulgar personalities, exaggeration and misrepresentation, objectionable and dangerous advertisements, and a very low level of literary merit, but many are not. The best fugitive work of American writers of any importance is to be found in the magazines and literary weeklies, which offer a marked contrast in every respect, save perhaps as regards advertisements, to the somewhat debased character of many American daily newspapers. . . . Time was when the average British newspaper represented a high standard of accuracy, fairness and literary ability, but since the importation of many doubtful American methods, the character of the press has to a large measure degenerated."—J. D. Brown, *Library Economy*, 424–425.

[61] Arnot Reid, "The English and the American Press," *Nineteenth Century*, August, 1887, 22: 219–233.

The attitude of the English press towards France and the French has not been more satisfactory to the French than has been that towards America and Canada. When the Earl of Clarendon visited Napoleon III in March, 1855, he found the Emperor sadly aggrieved over the short-comings of the English press; "he was aware," he said, "that a free press was a necessity in England, and as indispensable as the Constitution itself, and that he had hitherto believed that the editors of the principal newspapers had the good of their country at heart, and always acted from conscientious motives; but that he could no longer entertain the opinion. The press during the past months, and the 'Times' particularly, had done an incalculable amount of mischief to England and to the alliance between us." [63]

[62] A. Haultain, *ed.*, *Selections from Goldwin Smith's Correspondence*, pp. 276–277.

[63] *The Greville Memoirs*, edited by H. Reeve, VII, 251.

The editor in a conciliatory footnote explains that "in justice to the conductors of the 'Times' it must be said that although the language of the paper was violent and extremely annoying to the Government and its Allies," yet it was through *The Times* that the deplorable conditions in the army were disclosed and means taken to improve them. P. 152.

It was doubtless this dissatisfaction with the English press that led Napoleon III to offer his services to it.—"It is a curious fact not known to half a dozen individuals even at the present moment, that most important communications were sent by Napoleon III to *The Times* during the last Ministry of Lord Palmerston. These contributions were made with the utmost secrecy, and no human being was aware that the Emperor of the French was writing in *The Times* except Mr. Delane, editor of the leading journal, and Lord Palmerston, the Prime Minister. . . . The communications were made by Napoleon III with a view to influencing opinion both in England and France, and Lord Palmerston was able to get from them true insight into the policy of the Emperor."—Sir Rowland Blennerhassett, "The Foreign Policy of Queen Victoria," *National Review*, January, 1908, 50: 811–825.

The Emperor found another field for his activities in attempting to influence English opinion through a connection established with the *Morning Chronicle*. Olive Logan gave a circumstantial account of this in "The Secret History of a Subsidized Organ," *Galaxy*, March, 1868, 5: 317–327.

More than once *Punch* was excluded from France both during the time of Louis Philippe and of Napoleon III,[64] although expressing sympathy with France towards the close of the Franco-Prussian War. These later cartoons "are still remembered with some approach to gratitude in a country which has rarely, if ever, returned to us the compliment of kindliness or friendship, or even of courtesy, in its satiric press,"[65]—a comment in itself not serving to promote international friendships. English statesmen themselves had sometimes been conscious of the ill-advised attitude of the English press towards the neighbor across the Channel, and in 1852, "Lords Brougham, Derby, Russell, and Sir E. Grey denounced the tone of the English press when referring to French politics."[66]

Nor have matters in this case been ordered better in France. Napoleon I was not satisfied with the zeal for the Government professed by the French press, but he demanded from it still further professions of hatred of England,—its customs, its manners, its literature, its constitution.[67]

The suspicion the French government showed towards the representatives of the foreign press in general was seen in the early days of the Second Empire when thirty-six correspondents of foreign journals were arrested by order of the Emperor because they were alleged to have written articles grossly libellous of the Empress, although the real cause was probably the fear that the correspondents would expose the financial weakness of the empire,—again a proceeding not making for international amity.[68]

[64] M. H. Spielmann, *The Hitherto Unidentified Contributions of W. M. Thackeray to "Punch,"* pp. 91–92; *Mr. Punch's Victorian Era,* I, 58; Walter Jerrold, *Douglas Jerrold and 'Punch,'* p. 43.—When Douglas Jerrold wished to visit Rome and applied for passports at the Austrian Embassy, he was informed, "We have orders not to admit Mr. Douglas Jerrold to Austrian territory."—*Id.*

[65] M. H. Spielmann, *History of "Punch,"* pp. 190–192.

A recent illustration of the sensitiveness of the French government to foreign criticism has been seen in Italy. A cablegram stated that at the request of the French Embassy, the Naples police had ordered the sequestration of the current issue of *A B C*, a humorous weekly, for a cartoon dealing with the occupation of the Ruhr in a manner considered offensive to French feeling.—New York *Times*, July 11, 1923.

[66] To *Punch* this seemed a "Foolish and Impudent Trick. Watering the Editor's Inkstand."—John Leech, *Later Pencillings from Punch*, p. 38.

[67] H. Welschinger, *La Censure sous le premier Empire*, p. 95.

[68] R. M. Johnston, *ed.*, *Memoir of "Malakoff"* (W. E. Johnston), I, 57–58.

Forty years later, de Blowitz with keen, and prophetic, insight, while noting the lack of knowledge and authority in French journalism, especially in foreign affairs, felt that the French press propagated with impunity the most dangerous errors, sowed discord and hatred, "and the seeds of an inevitable future conflict." The necessary result was, as de Blowitz says, that "France at the present moment suspects and hates all the continental powers, Russia excepted, and even about the latter no one dares to tell the truth, because it would violate popular prejudice." "The European press," he continues, "where journalism is marked by pride and passion which lead to irresponsible utterance, becomes the accomplice of this international bitterness, and being without sufficient power to resist the stream, complicates and aggravates daily the accumulating dangers which hang as an incubus over the whole world." [69]

Others also had felt it would be difficult to overestimate the influence of the press on international misunderstandings and numerous examples have been at hand to show that injustice towards England has been promoted by the French press,—every nation has been quick to detect and to condemn the injustice shown it by the press of other countries, while less sensitive to injustice done others by its own press.[70]

The relation of the English press towards Germany has been equally criticized. The Duchess of Manchester wrote from Hanover in November, 1858, complaining of "those wanton attacks the *Times* always makes on Prussia." [71] To Queen Victoria the matter seemed so serious that under date of October 25, 1861, she wrote Lord Palmerston, "The Queen has long seen with deep regret the persevering efforts made by the *Times*, which leads the rest of our Press, in attacking, vilifying, and abusing everything German, and particularly everything Prus-

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The account is given by W. E. Johnston under date of February 13, 1853; his comment is that "a Government supported by half a million of soldiers that is afraid of a few newspaper writers, must be mean enough and rotten enough to do a most anything."

[69] H. de Blowitz, "Journalism as a Profession," *Contemporary Review*, January, 1893, 63: 37–46.

[70] A. Otway, "Fallacies of the French Press," *Nineteenth Century*, May, 1887, 21: 719–725.

[71] A. C. Benson, *ed.*, *The Letters of Queen Victoria*, III, 384.

sian," and she intimates to him that he "is the only person who could exercise any influence over Mr. Delane, and even if this should not be much, it will be important that that gentleman should know the mischief his writings are doing, and that the Government sincerely deplores it."[72]

Punch in its turn felt the disapproval of the German authorities and its cartoons of the recent Kaiser did not make for Anglo-German friendship.[73]

The same spirit has prevailed in Germany and the government has charged to the press the hostile attitude of other countries towards Germany,[74] while disclaiming all hostile attitude on its own part. An effort was made in England in 1904 to investigate this claim on the part of Germany, and to correct the impression that Germany was unfriendly to Great Britain and anxious for war with her,[75] but the mutual distrust of presses and of governments, while quiescent, was not extinguished. In 1906 and 1907, exchange visits of German journalists to England and of English journalists to Germany resulted in the exchange of reciprocal felicitations,[76] but they did not prevent ugly remarks or change the underlying mutual suspicions.[77] An article on "The German Press" in the *Quarterly*,[78] roused von Bülow and he replied to it through an interview with Sidney Whitman, "the well-known apologist for the Wilhelmstrasse," in which he had characterized the article as a web of lies and chaos of nonsense.[79] To this the *Quarterly* in its turn replied,[80] and the controversy then shifted to different sections of the press. Strained relations between Germany and England were created by the interview granted the *Daily Telegraph* by the Emperor William [81]—incidentally, perhaps even more strained between the Emperor and the Ministry. The controversy between press and governments crossed the channels, and André Tardieu writes of von Bülow: "Grand amateur de la presse, il a subi parfois au gouvernement la contagion des journaux, captivants et décevants par leur prompitude à tout dire, à tout définir, à tout juger, école de nervosité pour ceux qui les lisent comme pour ceux qui les font," and he adds, "Voici comment le prince de Bülow parlait de la presse en 1908 en recevant à Berlin les membres du Congrès de la presse. . . . 'Ce fut la premiere fois que je me brulai les doigts à la presse, ce ne fut pas la dernière. . . .' " [82]

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[72] *Ib.*, III, 588. Delane made merry over the situation and his reply to Lord Palmerston is worth recording. He wrote under date of October 28, 1861: "MY DEAR LORD,—I shall be very glad to give the Prussians a respite from the most cruel of all afflictions—good advice. Indeed, I would not have intruded anything so unwelcome during the splendid solemnities of the Coronation had not the King uttered those surprising anachronisms upon Divine Right.

"Pray observe, too, in extenuation of my offence that I sent a faithful chronicler to Königsberg, who has described all the splendors in a proper and reverent spirit and done what man can do to render such ceremonies intelligible, and the recital of them not too wearisome to those who believe in Divine Right as little as your Lordship's very faithful Servant, John T. Delane."—*Letters of Queen Victoria*, III, 588–589.

[73] M. H. Spielmann, *History of "Punch,"* pp. 192–194.

[74] Bernhard von Bülow, *Imperial Germany*, pp. 43, 118 (England), 78 (Russia).

[75] J. L. Bashford, "Great Britain and Germany: A Conversation with Count von Bülow," *Nineteenth Century and After*, December, 1904, 56: 873–881.

The article discusses the part the press has had in stirring up suspicion and is reprinted in von Bülow's *Reden*, II, 394–400.

[76] *The German Press Visit to London*, a souvenir edition issued by the *Anglo-German Courier*, London, July 6, 1906, Vol. I, No. 27.

F. Dernberg, "Germany and England: The visit of the English Journalists," *Contemporary Review*, June, 1907, 91: 761–766; Sidney Low and P. W. Bunting, "The Journalistic Tour in Germany," *Contemporary Review*, July, 1907, 92: 1–15.

All of these comparatively recent controversies have but prolonged the deep-seated, mutual distrust of England and Germany. Goldwin Smith had written to Max Müller from Ithaca, New York, in 1870, "I see the German press (Bismarck's organs, apparently) still labours to estrange England" [83] and suspicion has apparently long pervaded the press of both countries.

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[77] Sigma, "England and Germany: the *tu quoque* Quarrel," *Contemporary Review*, June, 1907, 91: 767–773.

[78] July, 1908, 209: 264–298.

[79] The interview was published in the London *Standard*, September 14, 1908.

[80] "The German Peril: a rejoinder to Prince Bülow," October, 1908, 209: 576–598.

[81] J. L. Bashford, "The Berlin Crisis," *Nineteenth Century and After*, December, 1908, 64: 908–923.

[82] *Le Prince de Bülow*, pp. 21–22. The author also refers with feeling to "les innombrables notes officieuses dont il remplissait les agences et les feuilles amies, notes où l'on reconnaissait, sans doute possible, non seulement ses idées, mais son style."

[83] A. Haultain, *ed.*, *Goldwin Smith's Correspondence*, p. 28.

A side-light on the character of the work of Sven Hedin is his statement "The hatred of England which pervades Germany is new—it began on the 4th August, 1914."—*With the German Armies in the West*, p. vi.—All testimony noted is directly contrary to this statement.

An English press correspondent found it "a depressing fact that of late years we English have been falling into disfavour with our German kinsmen. There was a time, and not so long ago, when men and things British were extremely popular in the Fatherland." But a marked change had come and he attributed it to Prussia's growth in strength and territorial expansion,—"as she turned Austria out of the Fatherland's doors, trampled France under foot, and engaged in the tremendous enterprise of absorbing Germany into the Mark Brandenburg—her fondness for England and the English sensibly diminished." [84]

Mrs. Alfred Sidgwick found that it was "a great mistake to think that German newspaper hostility to England dates from the Transvaal War" and that it was "absurd to deny the existence of Anglophobia in Germany." [85] How far this spirit has been recognized by Germany it is difficult to know, but England has more than once been reminded by Englishmen of the results likely to follow from such a policy.[86]

The situation in Alsace-Lorraine seemed no more favorable to its representative in the Reichstag who told its members that "twenty-four years ago, Herr Petri, Under-Secretary of State, already protested with the greatest energy against the calumniatory articles of the Pan-German Press, and pointed out that the intention of their authors was to prevent us attaining our autonomy. Therefore, there is nothing new in the phenomenon. The saddest part about this affair, Gentlemen, is that all of you who listen to me, or almost all, take your knowledge of the affairs of Alsace-Lorraine from that newspaper correspondence. The majority of you have not the slightest idea of what is happening with us and have never taken the trouble to go and make inquiries on the spot. The Pan-German sheets are your daily bread and from them you form your opinion regarding Alsace-Lorraine." [87]

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[84] W. Beatty-Kingston, *A Wanderer's Notes*, II, 131–136.

[85] Mrs. Alfred Sidgwick, *Home Life in Germany*, pp. 309, 310.

[86] "This attack on the habit indulged by Palmerstonian England of perpetually lecturing and shaking the birch at Continental powers grown too big for the part of the naughty boy, is the central doctrine so wittily set forth by Matthew Arnold many years later in *Friendship's Garland.* John Bright, being a dissenter, and not having been to Oxford, never got credit for having understood the doctrines of Sweetness and Light in this matter, though in fact he was the first to preach them."—G. M. Trevelyan, *Life of John Bright*, p. 289.

Early in the recent war, when it was evident that public opinion in America was turning away from Germany, the time seemed opportune for the German press to express its momentary disapprobation of the American press. This was done at length by a German residing in New York who wrote: "The press and the people in the United States will have nothing to do with you! Their foggy conceptions of 'Germany,' 'Kaiser,' 'militarism,' are formed by a power that you on the other side are learning to appreciate for the first time, the press. . . . The public opinion of the American, their judgment on their own or foreign policy is simply the product of the press. There are exceptions, there are well-educated, much-travelled and logically-thinking people, but they are few and far between; the great bulk of the Americans follow the press blindly, but unconsciously." [88]

It seems possible that the governments of all countries have not been averse to passing on to the press the responsibility for the ill-will and even hostility that has hitherto characterized international relationships. No truer word has been spoken than that of Godkin's when he says:

> "It is true, often lamentably true, that the only idea most foreigners and observers get of a nation's modes of thought and standards of duty and excellence, and in short of its manners and morals, comes through reading its periodicals. To the outsider the newspaper press is the nation talking about itself. Nations are known to other nations mainly through their press. They used to be known more by their public men; but the class of public men who represent a country is becoming every day smaller, and public men speak less than formerly; with us they can scarcely be said to speak at all. Our present system of nomination and the loss of the habit of debating in the legislature, have almost put an end to oratory, except during exciting canvasses. Elsewhere than in England, the names of the leading men are hardly known to foreigners; their utterances, not at all.

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[87] Abbé E. Wetterlé, *Behind the Scenes in the Reichstag*, p. 154.

[88] Letter to the *Frankfurter Zeitung*, December 19, 1914, A. L. Gowans, *A Month's German Newspapers*, pp. 190–194.

If I want to learn the drift of opinion in any country, on any topic, the best thing I can do, therefore, is to read the papers; and I must read a large number."[89]

The reading of "a large number" is impossible for most readers and the help they ought to receive from the press itself is often denied them. The love of the spectacular and the unusual, here as elsewhere, disqualifies the press of one country from giving a true representation of conditions in other countries. "If the newspapers of the United States," says W. R. Shepherd, "are apt to give the reading public an impression that revolutions and earthquakes are the main events of interest in Latin America, the journals of this area in turn are equally disposed to entertain their readers with accounts of American railway wrecks, divorce cases and lynchings!"[90]

During the recent war, a part of the German press, probably naturally, was wont to refer to Germany's enemies as assassins and criminals, cut-throats, and deceivers, while the Americans were represented, as being, for the most part, the descendants of convict colonists and the like.[91] During this period the German press, while presumably faithfully recording its attitude towards the enemies of Germany, can obviously render slight service in reconstructing the history of other countries. In Germany itself it was long difficult to learn conditions accurately through the press, since "through thick and thin, right or wrong, in disaster or success, the paper must be the defender, apologist and conserver of the party's traditions."[92]

Conditions are similar in America where editors have been reputed to be trying to solve the paradox of "how to make Germany strong enough to pay and weak enough not to be a menace," and where the man in the street "is tired of trying to determine how the Soviet Government is collapsing on one day and is a world menace the next."[93]

It follows as a corollary that the fires of international hatreds can not be kindled without their flaming forth into warfare. More than once the charge has been brought that the press has fomented war and in so doing has usurped the powers that egitimately belong to legislative bodies. It is true that government here may try to shield itself behind the press,—Bismarck virtuously spoke of the power of the press, which had done a great deal of harm. "'It was the cause of the last three wars,' he said, 'the Danish press forced the King and the Government to annex Schleswig; the Austrian and South German press agitated against us; and the French press contributed to the prolongation of the campaign in France.'"[94] But it is clear that Bismarck's sympathy for the injury done other countries by the press was not needed in Germany where the press has been so largely under the influence of the government that the pressure it has exerted has been that of the government itself. In 1909 *Die Flotte*, published monthly by the German Navy League, had a circulation of three hundred and seventy thousand copies, probably in excess of all other German monthly periodicals combined.[95] It also had a circulation more than double that of the combined four leading political journals of Germany:

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[89] E. L. Godkin, *Unforeseen Tendencies in Democracy*, pp. 197–198.

[90] *Latin America*, p. 218.

[91] *Bremer Bürger Zeitung*, September 26, 1918, from the *Rheinisch-Westfälische Zeitung*, September 4, 1918.

[92] R. H. Fife, Jr., *The German Empire between Two Wars*, p. 376.

[93] H. Stearns, "The American Press Since the Armistice," *Dial*, February 8, 1919, 66: 129–132.

Frankfurter Zeitung,	32,000
Kölnische Zeitung,	30,000
Berliner Tageblatt,	65,000
Vossische Zeitung,	25,000
	152,000

To the German press, probably acting under authority, must evidently be given a share of the credit in building up the German navy and in preparedness.

Greville had years before believed that the Crimean War might have been averted "by more firmness towards not only Russia but towards Turkey, and still more towards the press and the public excitement here, together with a judicious employment of the resources of diplomacy."[96] This opinion had been Cobden's,—

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[94] October 21, 1877, M. Busch, *Bismarck: Some Secret Pages of His History,* II, 342–343.

[95] J. E. Barker, *Modern Germany*, p. 235.

[96] *The Greville Memoirs*, VII, 194.

in season and out of season he had deprecated the attitude of the press towards the Crimean War. He wrote, July 15, 1855, "It would be very desirable, I think, to make a collection of paragraphs from *The Times* upon the subject of the war, and more especially respecting the expedition to the Crimea, showing in the first place how much that journal is responsible for the present dangers into which the country rushed at its instigation, and with a view especially to discredit it for the future and lead the people, if possible, to think for themselves. . . . If it can be shown how greatly it is responsible for the expedition which every rational man now in his heart condemns, it will much impair the force of its war advocacy in future. Bright or I would not hesitate to take it in hand." [97]

Scarcely less was the influence of the press during the Schleswig-Holstein controversy. "The newspapers—*The Times*, in particular—," says Robertson, "surpassed themselves in the winter of 1863–4 by the insufficiency of their knowledge and the self-sufficiency of the lectures they poured out on Germany and Prussia. We were quite unprepared for war. The nation was not willing to go to war, for it scarcely knew where Schleswig-Holstein could be found on the map, but we were willing to threaten what we had no intention of performing, and we hectored everyone with the complacent superiority that deserves the title of insular." [98]

The attitude of *The Times* and of *Punch* towards the American Civil War is well known, but due credit has scarcely been given to the opposition to this policy. Leslie Stephen was among the foremost in calling *The Times* to account for its support of the Southern Confederacy, and in a pamphlet of twelve chapters and more than a hundred pages he takes up the whole question, showing that "the *Times* gave a preposterous caricature of the origin of the war, of its effect upon the country, and of the means by which it was maintained," and while he thinks "the *Times* to be guilty of a public crime" in tending "to alienate the freest nation of the old world from the great nation in the new," he charitably believes it "due to gross ignorance, and not to malice," though still thinking "its conduct criminal." [99]

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[97] J. A. Hobson, *Richard Cobden the International Man*, pp. 126–127.

[98] C. G. Robertson, *Bismarck*, pp. 172–173. Note 2 on these pages should be heeded as showing the wide basis on which this conclusion rests.

A discriminating appraisal of the attitude of the press of different European countries toward the American Civil War, contemporaneously given by Willard Fiske, has recently been made accessible. It seems to show that the variations were due less to geographical conditions than to inherent social and political tendencies. "In England and France," he wrote, August 15, 1862, "the liberal press—the Daily News and Telegraph of London, and the Press, Siècle and Temps of Paris—is steadily with us. In Germany the entire newspaper world, with the exception of a very few ultra conservative sheets, favors the party of Union. In a thorough knowledge of all the important bearings of the question, and in a noble opposition to slavery, the German newspapers are far ahead of those of England and France. . . . The tone of the leading English journal is excessively bitter against us." [100]

It has long been an open secret that the Spanish-American war was in large part encouraged by the press and the evidence in the case seems unusually clear. A war correspondent has written: "No true history of the war which banished Spain from the western hemisphere and released the Philippine archipelago from her tyranny, can be written without an acknowledgment that whatever of justice and freedom and progress was accomplished by the Spanish-American war was due to the enterprise and tenacity of 'yellow journalists,' many of whom lie in unremembered graves." [101] This must be accepted as fact, though its wisdom may be questioned. Even more explicit are the cablegrams bearing on the subject. In the spring of 1898 the New York *Journal* sent F. Remington to Cuba to stay until the question of possible war was settled. Later, Remington cabled W. R. Hearst, "Everything is quiet. There is no trouble here. There will be no war. I wish to return." The reply read, "Please remain. You furnish the pictures, and I'll furnish the war." [102]

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[99] L. S. (Leslie Stephen), *The "Times" on the American War*, pp. 81, 92.

[100] Letter to the Syracuse *Daily Journal*, published September 5, 1862.—*Memorials of Willard Fiske*, collected by Horatio S. White, II, 165–166.

[101] James Creelman, *On the Great Highway*, pp. 175–176.

[102] *Ib.*, pp. 177–178.

Contemporaneously similar opinions were held in England in regard to the part taken by the press in bringing on the Boer war, and the *Daily Mail* in particular was held responsible for defaming the Boers and thus encouraging hostilities,—"the *Daily Mail* and its like are written by the half-read for the half-read." [103]

The line that separates the independent influence exerted by the press from the pressure brought to bear on the press by governments in declaring war is often scarcely more than an imaginary one. In the events immediately preceding the war of 1914, it seems clear that the line was crossed and that the influence exerted by the press was that of the government itself. "Unquestionably," in the opinion of O. G. Villard, "the Austrian press had much to do with preparing the public mind for the ultimatum to Servia, the sensational murder of the Archduke giving it the excuse for every sort of accusation and hostile attack upon their small but, to them, pestiferous neighbor, Servia." [104] But since it must be believed that "the [Austrian] press is largely an instrument of Government and is far more careful of its official connexions than of its duty to the people," [105] the ultimate responsibility seems to rest with the Government rather than with the press.

There has been room for difference of opinion in regard to the influence of the press in political affairs and in international relations. But in other fields the opinion concerning its influence has sometimes seemed unanimous. It is apparently believed that the press has had great influence in promoting crime through the wide publicity given criminal offenses, the publication of photographs of criminals and of interviews given them, and the consequent notoriety that seems enviable to those leading drab and sordid lives, or to those who are in any way mentally abnormal. Efforts have been made to classify the contents of representative papers covering a wide area in space and a long stretch of time and these have seemed to show that in news of vice and crime the percentages of space steadily increase with increase of circulation,—while the opposite is true of political news, editorials, letters and exchanges, and political advertisements.[106]

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[103] "The Worst Journalism," *Littell's Living Age*, August 24, 1907, 254: 500–501.

[104] O. G. Villard, "The Press as Affected by the War," *Review of Reviews*, January, 1915, 51: 79–83.

[105] H. W. Steed, *The Hapsburg Monarchy*, p. 120.

It is difficult, however, to estimate by the measuring tape the influence of the press on crime,—even sample issues of several hundreds of papers may convey an erroneous impression. The contents of the press are not static, but vary with every upheaval of general or local society caused by war, the disturbances of nature, or the derangement of industry and business. The proportions vary on different days of the week,—certain classes of advertisements swell to abnormal dimensions Sundays and Mondays, while Saturdays are usually devoted to quite different classes of notices and advertisements. The musical and dramatic seasons as well as art exhibitions, horse shows, and automobile shows all materially affect the relative proportion of news. Any judgment based on specimen copies must be somewhat qualified by these irregular and varying conditions in the columns of the press,—an entirely different selection of sample numbers would probably yield entirely different proportions.

It is also true that the results of crime are usually immediate and spectacular and since the first commandment in the press decalogue is to be the first to publish the news, conjectures and suspicions of crime are amplified and exploited and thus crime and all its kindred enter the first page at full tide.

Moreover, it must be remembered that misdemeanants and criminals are prone to evade personal responsibility for their acts and that the juvenile offender finds in the press a scapegoat at hand for all his misdeeds. The statements of all transgressors in regard to the moving cause of their transgression must be received with the traditional allowance of salt.

And once more it must be said that crime waves have been noted in all ages and in all countries,—long before the appearance of the newspaper, the invention of the headline, or the appearance of criminals' photographs conspicuously displayed in the press.[107] While the existence of crime epidemics has long been recognized, the explanation of them has by no means been satisfactory and there has been far from unanimous agreement in attributing them to the influence of the press.[108]

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[106] Frances Fenton, *The Influence of Newspaper Presentations upon the Growth of Crime and Other Anti-Social Activity;* J. E. Rogers, *The American Newspaper;* Delos Wilcox, "The American Newspaper: A Study in Social Psychology," *Annals of the American Academy of Political and Social Science*, July, 1900, 16: 56–92; B. C. Mathews, "Study of a New York Daily," *Independent*, January 13, 1910, 68: 82–86; A. A. Tenney, "The Scientific Analysis of the Press," *Independent*, October 17, 1912, 73: 895–898; "Crime and the Papers," *Survey*, November 18, 1911, 27: 1228; T. R. Garth, "Statistical Study of the Contents of Newspapers," *School and Society*, January 22, 1916, 3: 140–144.

But when every possible allowance has been made for the inherent limitations of all efforts to measure by mechanical methods an influence so elusive that it can not be measured by any means as yet devised, it still probably remains true that the influence of the press upon the growth of crime is important.

This influence is exerted through the news columns and through editorial comment and discussion, and while the actual number of crimes induced by reading the press accounts of similar crimes has not as yet been shown to be large,[109] the whole question has in effect been considered from every angle and its general importance noted. As early as 1841, Dr. W. Farr warned the English public against the influence of the press in inducing crime, and physicians, alienists, and psychologists, have with growing insistence presented this aspect of the case before the reading public through bulletins and reports published in professional journals.[110]

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[107] H. L. Jones, in a diverting letter from Ithaca, New York, discusses the treatment of the crime wave by Philip of Macedon.—New York *Times*, January 9, 1921.

The *New York Evening Post* discovered a crime wave in America in 1821, and recalled it in its issue of February 10, 1921.

[108] See article by Dr. P. Bartholow, New York *Times*, December 19, 1920. He discards the theory that crime is fostered by the accounts given of it in the press and elaborates the theory of Dr. Paul Aubry, given in *La Contagion du Meurtre*, that crime waves are due to contagion, although it is difficult to find the contagion carrier.

[109] Frances Fenton, *The Influence of Newspaper Presentations upon the Growth of Crime and Other Anti-Social Activity*, Chap. VI.

[110] E. B. Phelps, "Neurotic Books and Newspapers as Factors in the Mortality of Suicide and Crime," *Bulletin of the American Academy of Medicine*, October, 1911, 12: 264–306; W. S. Wadsworth, "The Newspapers and Crime," *Ib.*, 12: 316–325; H. B. Hemenway, "Report of the Committee on Publishing the Details of Suicide in the Public Press," *Ib.*, 12: 253–263; the National Association of Retail Druggists published resolutions to be presented at the next meeting of the society urging newspapers not to publish, in cases of suicide by poison, the name of the poison and instructions regarding the method of use and the amount that makes the dose fatal (cited by

An explanation of this pre-occupation of the press with crime is found in the kinship between the work of the detective in ferreting out wrong-doing and the "nose for news" considered essential in a reporter. Through this characteristic the reporter is often of special service to the police department in its efforts to uncover crime, and the importance of the service has been freely and fully recognized.[111] But in one essential the reporter and the detective radically differ. A crime discovered by a reporter is the achievement of a non-professional, and his occupation demands the immediate publication of all the facts known. The discovery of crime is the profession of a detective and his occupation demands the concealment of the facts until all can be properly marshalled before the officials authorized to deal with it. The roads of the reporter and of the detective fork at the angle made by the demands of publicity and of concealment.

But while the detective never acts as either prosecutor or judge, the newspaper frequently acts as both, and this opens up another side of the question of the influence of the press on crime. How far should the jurisdiction of the press extend in the trial of persons charged with crime? Many have acknowledged the aid given by journalists in discovering crime, but hold that "they step beyond their province when they undertake to try causes pending in the courts." [112] That cases should be tried out of court by the press has long seemed intolerable to lawyers and judges alike,—the "unbridled license of the press in commenting upon and often trying cases in the public print . . . [is] a prolific source of the miscarriage of justice and is most prejudicial to the rights of the defendants charged with crime." [113] The insult

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Hemenway, p. 261); Frances Fenton states that some years ago the authorities at the White House ceased to allow news of attempts on the life of the president to get into print, believing that such news would incite other attempts. "The Press and Crimes against the Person," *Ib.*, 12: 307–315.

[111] It is of interest to note that after the death of President Carranza, May, 1920, four reporters were asked to make an investigation into the circumstances of his death.—New York *Times*, May 27, 1920.

Sir Basil Thompson, former head of the criminal investigation department of Scotland Yard, holds, however, that newspaper publicity is more apt to do harm than good in the solution of a difficult murder case.—*New York Evening Post*, October 30, 1922.

[112] R. Foster, "Trial by Newspaper," *North American Review*, May, 1887, 144: 524–527.

[113] S. Untermyer, "Evils and Remedies in the Administration of the Criminal Law," *Annals of the American Academy of Political Science*, July, 1910.

is added to injury when the newspaper enterprises in the civil courts are "almost invariably so managed as to convey to the minds of their readers the idea that the decision obtained, if a favorable one, has not come as a result of a just rule of law laid down by a wise and fairminded judge, but has been obtained rather in spite of both law and judges, and wholly because a newspaper of enormous circulation, championing the cause of the people, had wrested the law to its clamorous authority."[114]

The most grave influence that the press has on crime and its punishment is one that again can not be computed by column space. It is its "systematic and constant efforts to instill into the minds of the ignorant and poor, who constitute the greater part of their readers, the impression that justice is not blind but bought; that the great corporations own the judges, particularly those of the Federal courts, body and soul; that American institutions are rotten to the core, and that legislative halls and courts of justice exist as instruments of oppression and to preserve the rights of property by denying or destroying the rights of man."[115]

The remedies proposed for limiting and correcting this influence of the press have been the extension to all the states of the power, now exercised by the courts of Massachusetts and many other states, of punishing for contempt the authors of newspaper publications prejudicial to fair trials;[116] the enactment of laws similar to those of England prohibiting a newspaper from publishing anything concerning a case that is in the courts other than a *verbatim* report of the proceedings in open court; prohibiting any newspaper from commenting either editorially or otherwise, upon the evidence in judicial proceedings until after final judgment; and prohibiting any prosecuting officer from expressing or suggesting for publication an opinion as to the guilt or innocence of a person accused, or from disclosing any of the proceedings of a grand jury, or from publishing or being privy to the publication of any evidence in his possession bearing on any case under his control.[117]

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[114] G. W. Alger, "Sensational Journalism and the Law," *Atlantic Monthly*, February, 1903, 91: 145–151. Reprinted in *Moral Overstrain*.

Similar aspects of the subjects are presented by J. W. Garner, "Trial by Newspaper," *Journal of Criminal Law*, March, 1911, 1: 849–851, "Newspapers and Crime," *id.*, September, 1912, 2: 340–341; E. R. Keedy, "The 'Third Degree' and Trial by Newspapers," *id.*, November, 1912, 3: 502–505.

[115] G. W. Alger, *op. cit.*

[116] Important suggestions are made by Felix Frankfurter in a summary of a report made by M. K. Wisehart on "Newspapers and Criminal Justice," in The Cleveland Foundation Survey, *Criminal Justice in Cleveland*, 1922.

But it is at least a question whether these difficulties can ever be remedied by legislation and whether the unfortunate influence now exerted by the press in these directions can be improved in any other way than by the press itself through raising its own standards and through a clearer appreciation of the issues at stake. The way was pointed out by the court at the trial of von Rintelen when the *Evening Telegram* said editorially, "Let it be seen that the German agent and his native accomplices do not escape." Judge Cushman summoned the editor and said, "It is more important that the defendants get a fair trial than it is that the guilty be punished. It is more necessary that a trial be fair than that summary justice be done." [118]

Much has been made of the influence of the press as an incentive to crime, but comparatively little of the influence exerted in the opposite direction in the prevention of crime and in the positive influence for good. If the yard stick were applied to these phases of the subject and the same mathematical computations were made of the tendencies in the press towards beneficent activities as have been noted of its influence to develop criminal tendencies, the result might be a modification of the judgment so often expressed. The press has undoubtedly often fostered the mob spirit that has led to crimes against society, as lynching, but it must not be forgotten that more than one Southern as well as Northern newspaper has waged a fight against lynching. That the stockholders of the San Antonio, Texas, *Express* announced that they would devote one hundred thousand dollars as a reward to persons who should bring to justice any member of a mob guilty of lynching [119] may have been an exceptional action, but the press may justly claim that if it is to be judged by one extreme policy, the opposite must at least be presented. Reporters with

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[117] S. Untermyer, "Evils and Remedies in the Administration of the Criminal Law," *Annals of the American Academy of Political and Social Science*, July, 1910, 36: 145–160.

[118] New York *Times*, May 6, 1917.

[119] New York *Evening Post*, August 14, 1918.

"a nose for news" have more than once through the press been able to render genuine service to the cause of justice,—in at least one case reporters found that a man long imprisoned for murder was innocent of the crime and he was therefore freed.[120] When a young bank clerk disappeared with three-quarters of a million dollars worth of bonds in his possession, his picture and description were widely distributed through the press and this led to his identification and apprehension,—a result that led to public appreciation of the work of the press in giving publicity to a matter of general concern.[121] The press does not point out what is obvious to the normal mind,—that crime is crime and that swift punishment is expected to be meted out to the criminal. The daily press more often fails in that it has apparently as yet made little effort to treat anti-social matter from a socially constructive standpoint.

If it is pointed out that the newspapers have shared in the forty million dollars distributed annually by the patent medicine syndicate for advertising health-destroying or deadly nostrums, it is but reasonable to notice that the same number of a prominent weekly containing this charge carried also an article by S. H. Adams exposing the advertising devices of medical quacks, and that the evil of fraudulent advertising has been put down by the press itself.

An interesting article a few years ago assumed that "newspapers, like winged ephemeridae, are born to live but a few hours. They bear upon their bodies mysterious scrolls of import to humanity. They hum the burden of yesterday, and however gay or brilliant, ugly or venomous, they perish straightway and give place to new swarms on the morrow." And the writer condemns the universal habit of newspaper reading as enfeebling the mind and fostering positively immoral ideas. "These newspapers," he says, "represent in the domain of culture and enlightenment the mob spirit, a vast, impersonal, delirious, anarchic, degenerating, and disintegrating force." [122] Yet the student of history can not accept the characterization of the press as being inherently, permanently ephemeral, or any generalization in regard to it, as he can not accept any generalization in regard to all mankind. While many newspapers are justly criticised for their pernicious tendencies, the press as a whole must be classified on a sliding scale of morality as well as of authoritativeness.

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[120] C. E. Grinnell, "Modern Murder Trials and Newspapers," *Atlantic Monthly*, November, 1901, 88: 662–673.

[121] Daily press, March 9, 1921.

[122] F. Peterson, "The Newspaper Peril," *Collier's Weekly*, September 1, 1906, 37: 12–13.

The complaints of the influence of the press, apart from the classes already considered, have been numerous and widespread and in many instances these complaints have seemed justified. The press has often overreached itself and has undertaken to give advice in matters where it could not have expert knowledge.[123] This has been specially true in questions of government policy where an invisible line divides legitimate criticism of their representatives by those represented, from advice offered government officials as to their future action. A hundred years ago Hazlitt protested against the "illiberality of the press" finding in it "the sin that most easily besets it," and an abuse that should be crushed if it can not be corrected. The worst part of the Ministerial press, he believed, had made literature a tool of party spirit.[124] Ten years later, *Blackwood's* was alarmed by the influence of the press and considered how this "new and terrible power is to be mastered." [125]

It has seemed especially difficult in public affairs to draw the line between the legitimate and the illegitimate influence of the press, although serious effort to do so has been made by representatives of the press itself. The recent war made it specially imperative that the press should recognize its own functions, and one of its representatives then stated them to be,—preaching efficiency, interpreting Parliament, discouraging high wages, searching for talent, commending merit, insisting on strenuous government, and forming a committee of public safety.[126] This statement seems to imply that the rôle of the press is that of an observer and a critic; that it takes little constructive initiative, and does not formulate far-reaching plans; that it may discuss ways and means of accomplishing measures already agreed on or under way, but seldom determines *what* should be done. Its true sphere of influence would thus seem to be generally acknowledged to be that of a co-operator rather than that of a leader, or of an aggressive, controlling power that merges into the propagandist. Its greatest beneficial influence has been felt where it has roused the public conscience to the iniquities of its own public servants, as in the exposure of scandals connected with the *Crédit Mobilier*, the whiskey ring, star routes, the Erie canal, the Tweed ring, the weaknesses in methods of appointment to civil office, or the deplorable conditions in the insurance business.

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[123] It seemed evident that the opposition of the New York *American* to the election of Dr. Manning as bishop of New York was a determining factor in bringing about his election.—New York *Times*, January 27, 28, 1921.

[124] W. Hazlitt, "The Periodical Press," *Edinburgh Review*, May, 1823, 38: 349–378. *Cf. The Correspondence of Macvey Napier*, p. 199.

[125] "The Influence of the Press," *Blackwood's Magazine*, September, 1834, 36: 373–391.—The article is a review of *L'Autocratie de la Presse*, The Hague, 1834, and was evidently an effort to show how the press could be crushed.

But even within its own legitimate field, the press has unquestionably often overstepped the boundary line. It has often hounded into resignation from public office those with whom it differs; it has driven into private life those who have honorably served the public; it has set up standards to which it expects all others to conform; it makes its own definitions, and tries and condemns all who do not accept them; it passes judgment on men in every station in life; and it has more than once by unmerited jeers and ridicule driven from a chosen occupation men whose slight mannerisms have in no way militated against their great success.

It is because of much of this illegitimate influence exerted by some members of the press that the press as a whole has, in the eyes of many, come under suspicion. The ten righteous men of Scripture do not in their eyes suffice to save the press from wholesale condemnation. But much of this complaint of the influence of the press is tilting at windmills. If a certain paper exerts a generally recognized bad influence, *all* newspapers are arraigned in some prominent monthly already eager to supplant the daily in ferreting out wrong. Thomas Catling says that the King of the Belgians once sent a letter to the English Court in which he wrote: "One must not mind what newspapers say. Their power is a fiction of the worst description, and their efforts marked by the worst faith and the greatest untruths. If all editors of the papers in the countries where the liberty of the Press exists were to be assembled, we should have a *crew* to which you would *not* confide a dog that you would value, still less your honour and reputation." Soon after he was entrusted with the direction of the paper [*Lloyd's News*], Catling says, "The Rev. J. Foster announced that he would preach a sermon on *Lloyd's News* in a Non-conformist pulpit at the East End. It was a general condemnation of newspaper reading, the extravagance of which will be understood by a couple of sentences:

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[126] C. Dawbarn, "The Rôle of the Press," *English Review*, June, 1916, 22: 581–586.

Other discussions of the same subject are: A. Harrison, "The Responsibility of the Press," *English Review*, August, 1915, 21: 113–123; H. H. Johnston, "The Press and the Government of the Day," *English Review*, September, 1915, 21: 166–177; A. A. Baumann, "The Functions and Future of the Press," *Fortnightly Review*, April, 1920, n. s. 107: 620–627; H. D. Traill, "What is Public Opinion?", *National Review*, July, 1885, 5: 652–664. Similar articles have been noted *supra* in connection with the *Pall Mall Gazette* and the Soudan campaign.

" 'The general body of working people may be divided into two classes—those who go to church and those who read *Lloyd's News*.' "

" 'In the better land, to which I hope all here present are journeying, there will be no *Lloyd's* paper, because there will be no sin, nor sorrow, nor trouble.' " [127]

The situation seems little improved to-day when the press is made to serve as a scapegoat for all the evils arising from errors of judgment not confined to the press.[128]

The influence of the press has been recognized in all these matters of large concern, but in hundreds of minor and unrelated ways the influence of the press has made itself felt,—sometimes for better, sometimes for worse. "The fact that the soldiers and sailors of the last fifty years," recently wrote Sir H. H. Johnston, "have had the Press as an outlet for the airing of grievances has gone far to make mutinies impossible."[129] In time of war the power of the press may be felt in far more disastrous ways than in "giving information to the enemy,"—excessive optimism or pessimism may seriously impair the morale of both army and public. Some members of the press may select such facts relating to questions of the hour as it wishes the public to believe, but since the press is never unanimous other representatives of the press will select other facts and the contradictory influence of both sets of facts will be felt. The influence of the party press is gone, outside of its own party, if it is recognized as an organ, and hence to be influential the press must at least be thought to say what "every one thinks," and yet in deciding what it is that every one thinks the press may be seriously in error.

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[127] T. Catling, *My Life's Pilgrimage*, pp. 360–361.

[128] A typical illustration has been the complaint that the press did not warn the public of the approaching war with Germany. Apropos of the exclusion of the London *Nation* from the mails, a correspondent writes the New York *Nation:* "Upon Mr. Massingham and his followers, however conscientious they were in their blinded belief in Germany, rests a terrible burden. They were foremost in responsibility for England's unpreparedness; upon them indirectly must fall the responsibility for America's ignorance of Germany's intent, thus helping the German propaganda for many months to obscure the issues, to deceive as to its methods of warfare, and to aid the enemy in our midst in the first months of intrigue and conspiracy."—*The Nation*, April 26, 1917, 104: 487–488.

The influence exerted by the press has been widely discussed, but the influence exerted on the press, outside of official and business circles, is less clearly realized. The press, like an individual, may become static, or it may continue the process of education through the same means as are used by individuals. The appeal to reason rather than to authority; to productive investigation rather than passive accumulation; a willingness to accept new points of view growing out of experiment and experience,—all of these characteristics of education as distinguished from information are hall marks of an active, alert, growing press. Many illustrations of this educative process going on in the press are constantly found. When mass meetings were held showing the status of public opinion in regard to the comic supplement and pointing out its subversion of good taste, intelligent art, and reasoning morality, the comic supplement practically disappeared. When social organizations, as a result of investigation, have decided that the adoption of certain policies will be conducive to the public welfare, the press lends a listening ear to the voice of experts. When some years ago the fashion plates in magazines and the press illustrations of department stores depicted women with wasp-like waists, an eminent woman physician showed to press illustrators the unfortunate influence of such illustrations on the physical health of women and the press quickly changed its type of illustration.[130]

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[129] H. H. Johnston, "The Press and the Government of the Day," *English Review*, September, 1915, 21: 166–177.

The press has often been charged with currying favor with its advertisers, but little has been said of its great influence in securing honesty in advertising or in breaking up questionable forms of business. A physician under well merited suspicion recently testified that he had abandoned his practice in Chicago because the press of that city had attacked his advertising claims,[131]—an illustration that might be multiplied almost indefinitely.

In countless ways the influence of the press exerted through its advertisements has been beneficial. Even in international relations, the harmful influences of mutual national hatreds have been in part mitigated by the beneficial effects of international advertising and special supplements giving valuable information concerning countries little known.

Until the middle of the nineteenth century the manufacture and sale of salt in India was a monopoly of the East India Company and through it every Hindoo was compelled to pay about one-fourth of his annual earnings for salt. The efforts of the salt manufacturers of England to have the market thrown open apparently met with little success until the matter was taken up by the press, but in 1846 the leading representatives of the English press, both in London and in the provinces, including *The Times*, the *Manchester Guardian*, and other papers in Liverpool, Worcester, Gloucester, Bristol, and elsewhere, showed the iniquity of the monopoly—and thus shared in the credit of its ultimate abandonment.[132]

To many minds the illustration appeals even more strongly than does the text itself. It seems impossible to overestimate the influence of Nast's illustrations and cartoons during the Tweed campaign, and in the overthrow of the "Boss" the honors were equally divided between the illustration on the one side and news and editorial on the other. The Brothers Dalziel found in the weekly cartoons of Sir John Tenniel for *Punch* that "the moral teaching of these drawings is beyond measure." [133] Undoubtedly a part of the anglophobia found in Germany was due to the German caricatures of England and the English. It was upon the illustration in the press, as also in the form of posters, that governments largely relied in their campaigns for enlistment, for loans to finance the war, for conservation in every form.

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[130] The authority for this statement is a personal conversation with a physician no longer living.

[131] New York *Tribune*, April 20, 1919.

The whole question of honesty in advertising is well stated by H. Anderson in "The End of the Era of Humbug," *J. Walter Thompson News Bulletin*, July, 1923, pp. 7–13.

[132] *The Press versus the Salt Monopoly in British India*. n. d.

The recognition of the influence of the press in time of war has been widespread, but less recognition has been given to the place of the press in modifying international hatreds in normal life and to its wholesome influence in the community. In 1822, John Quincy Adams wrote a young friend, asking his advice in regard to starting a new paper, his appreciation of what "a newspaper edited by an accomplished classical scholar" may do in exerting "a great and salutary influence on the community," [134] and in this appreciation of the salutary influence of the press many have joined. In recent times, tribute to the influence of the press was unconsciously paid by the military correspondent of the London *Times* who complained that his plans for enlarging and strengthening the army were constantly thwarted by the Radical press.[135] Another tribute was paid the press for its influence in promoting good-will among nations when at the National Conference on the Foreign Relations of the United States, held in May, 1917,—more than a third of those who attended were representatives of newspapers and magazines and in addition seven great press associations were represented.[136]

The failure of the press to influence public opinion against its convictions has been repeatedly shown in every country. Madame Adam, who had always advocated the policy of *revanche*, in 1879 founded *La Nouvelle Revue* to keep alive this idea, but the French Government had not outwardly accepted it, its advocates were, in spite of *La Nouvelle Revue*, in a constantly dwindling minority, and by 1914 it had ceased to be urged by more than a small fraction of the French nation, probably, so the biographer of Madame Adam states, by not more than one per cent of the whole population.[137]

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[133] The Brothers Dalziel, *A Record of Fifty Years' Work in Conjunction with Many of the most Distinguished Artists of the Period, 1840–1890*, p. 130.

[134] *Works of John Quincy Adams*, edited by W. C. Ford, VII, 330.

[135] Charles à Court Repington, *Vestigia*, p. 256.

[136] S. P. Duggan, *American Association for International Conciliation*, December, 1917, No. 121, pp. 10, 12.

In England, at the time of the discussion of the measures for parliamentary reform, in 1832, the stamped press actively, openly, and persistently, but honestly, attacked the reform bill, but the public was not misled by these attacks and it was carried in spite of the opposition of the press.[138]

In America many of the most powerful dailies opposed the adoption and the ratification of the eighteenth amendment to the Federal Constitution and expressed astonishment that it was carried. But for more than a hundred years the movement in favor of such a measure had been growing among the masses of the people and its ultimate success was not a surprise to those familiar with its history. The evil influences in society—liquor, prize fighting, war, vice in all its forms—have always been commercialized, and as long as there has been a brewery in every town, an "athletic club" behind prize fighting, a military league upholding war, and police protection of vice—just so long it has been and is still inevitable that the conservative element of the press, like the conservative element in legislatures, in the Church, in education, shall stand for the established order. If it is true, as has been said, that "legislatures are always a day's march behind the public," it seems to hold equally true of the conservative press. An influential daily with a circulation of half a million may resolutely oppose equal suffrage, but if the voters of the state have been convinced through other means of the wisdom of such a measure, it will pass by a heavy majority. In a Western city, the papers of all parties were hostile to a certain candidate for the mayoralty, but their hostility did not prevent his election. They then decided to ignore him and in the next campaign they did not mention his name and even refused to print his political advertisements, but again he was elected over this combined opposition.[139]

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[137] W. Stephens, *Madame Adam*, pp. 188–189; Chap. XVI, 212–221.

An earlier illustration of the same point had seemed to J. A. O'Shea to be that of "that stupid publicist, de Girardin, who had such an inordinate vanity, and such an exaggerated sense of his own abilities and wisdom, [that he] had long preached a crusade for the recovery of the Rhine—the natural frontier of France!"—*Leaves from the Life of a Special Correspondent*, II, 226.

[138] "Progress of the People—The Periodical Press," *Edinburgh Review*, April, 1833, 57: 239–248.

A similar situation was found in England at the time of the introduction of Gladstone's plan for home rule in Ireland. Henry Lucy, then editing the *Daily News*, had decided to let the paper follow Gladstone, "but the readers would not have it." [140] *Lloyd's* had always upheld Gladstone, but it parted company with him on the question of home rule.[141]

It has sometimes been said that the influence of the press has changed, in that it no longer attempts to represent public opinion. Yet it is at least a question whether the press has ever consciously and individually attempted to represent such opinion, as there has also long been diversity of opinion on the question of whether the press follows public opinion or leads public opinion.[142] "Giving the public what it wants" has been well satirized by Arnold Bennett in holding up to public opprobrium the rank commercialism of that part of the press that prints sensational tales under the plea that that is "what the public wants." [143] What the public really wants is scarcely susceptible of definition, and the better part of the press has probably been indifferent to it. But probably at no time previously has the press, especially in America, made such extraordinary efforts to secure and to publish the opinions of its fellow members. Telegraph and cable bring the editorials of a hundred papers to the editor's desk in a distant city where they are published simultaneously with their appearance in cities thousands of miles away. To this extent in collecting editorials of many papers, the press may be said to represent public opinion. This genuine effort to represent a consensus of editorial views has often been simulated by the bustling activities of masterful personalities who have given entirely erroneous and confusing impressions of the influence of the press, but the confusion between genuine and simulated public opinion has never been of long standing.

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[139] Rollo Ogden, "Journalism and Public Opinion," *Proceedings of the American Political Science Association*, 1912, 9: 194–200. See also Brand Whitlock, *Forty Years of It*, p. 112.

[140] Henry W. Lucy, *Sixty Years in the Wilderness*, Chap. XV.

[141] Thomas Catling, *My Life's Pilgrimage*, pp. 168–171.

[142] The Emperor William II had no doubt on the subject. He wrote to the Czar, October 25, 1895: "Your ideas about the press in general are exactly the same as mine. It has done and still continues to do a great deal of harm and we must bear with a great amount of spite, lying and nonsense. Still the influence it *horribile dictu* has, must be judged from the spirit of the People and the different races who are brought up to read it."

He pays an unconscious tribute to the English press in adding that "in England the Press is more the mouthpiece of Public opinion than on the Continent and goes in more for the interests of its Country!"—*The Kaiser's Letters to the Tsar*, pp. 22–23.

[143] Arnold Bennett, *What the Public Wants*, 1909.

Where public opinion, as it is usually understood, does not exist, the question of the influence of the press is again altered. In Latin America, as has been so clearly shown by W. R. Shepherd, newspapers are not "the recognized organs of an effective and democratic public opinion; and they cannot become forums of the sort until civic education is far more widely diffused in the republics concerned. They appear to represent the university class and the great landowners, merchants and bankers rather than the people at large."[144] It is impossible for all persons or for all classes to have the same interests, or for them to deal with all questions with the same intelligence. The influence of any newspaper, it is self-evident, must be directly exerted only within the circle to which it appeals.

Where public opinion has been ineffective, it has been possible for authority to strengthen it and then to control it for its own purpose. In 1912 M. Bourdon had gone to Germany as the press correspondent of *Figaro* and he reported a well-informed publicist as saying to him, "Last year we had not such a thing as public opinion, but to-day we have. It was prepared and formed by that man over there [Admiral von Tirpitz]. . . . He wanted ships and in consequence money. So he made public opinion, and got both without stint." But it was a German opinion, M. Bourdon believed, that did "not represent the mind of the nation duly deliberated and expressed with freedom," since "in 1911 German opinion was manufactured by a few dozen colonials connected with four or five Pan-German papers without readers, but rampant; by two or three big journals loosely edited; and finally by a few persons furiously engaged in the obscure manoeuvres against ministers and against the Emperor."[145]

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[144] W. R. Shepherd, *Latin America*, pp. 219–220.

It is probably due to the many conspicuous instances where the press has apparently failed to influence public opinion that many prominent editors have been led to discuss the waning influence of the press. One explanation of it Frederick Greenwood found in 1890 to lie in the very multiplicity of newspapers. He detected a consciousness of this loss of influence in political affairs in the less eager attention it paid to political discussion and debating, while the Government on its part showed comparative indifference "to the confused thunders of the press."[146] In Paris at practically the same time somewhat similar observations were being made. "A resident in Paris" believed that French journalism would be greatly improved if the newspapers in Paris, then numbering about fifty, could be reduced to not more than a dozen.[147] Yet in journalism as elsewhere "man never is, but always to be blest," and the coming of combinations and consolidations has seemed in its turn to forbode danger and disaster,[148] since the chain of papers under a single management has increased the opportunity for the press activities of a masterful personality, but not necessarily the influence of the press on the opinions of its readers.[149] An equally depressing outlook is that of J. A. Spender who is quoted as saying in the *Westminster Gazette* that during the thirty-three years he had been connected with journalism he had seen the power of the editor constantly diminishing and the power of the proprietor constantly increasing.[150]

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[145] G. Bourdon, "Public Opinion and the Press," *The German Enigma*, pp. 109–124.

See also an admirable discussion of public opinion in Germany by F. V. Keys, "The Great Illusion about Germany," *North American Review*, March, 1918, 207: 345–353.

[146] Frederick Greenwood, "The Newspaper Press," *Nineteenth Century*, May, 1890, 27: 833–842.

[147] A Resident in Paris, "French Journalism," *National Review*, September, 1895, 26: 74–82.

[148] O. G. Villard, "Press Tendencies and Dangers," *Atlantic Monthly*, January, 1918, 121: 62–66; "More Newspaper Cannibalism," *The Nation*, February 28, 1923, 116: 232; interview reported in the *Christian Science Monitor*, June 23, 1923.

[149] A. G. Gardiner, "The 'Times,'" *Atlantic Monthly*, January, 1917, 119: 111–122.

[150] "The Editor *vs.* the Proprietor," cited in *Literary Digest*, April 13, 1918, 57: 29–30.

It is this power behind the throne of the editor that has seemed to many not of the guild so malevolent an influence in the press of to-day and so ominous a portent for its future. Capitalism in all its various forms of proprietor, financier, manufacturer, promoter, lobbyist, is believed to control the press. This view has been expressed by no one better than by Bertrand Russell when he says:

> "The Press is the second great factor to which critics of capitalism point when they wish to prove that capitalism is the source of modern war. Since the running of a big newspaper requires a large capital, the proprietors of important organs necessarily belong to the capitalist class, and it will be a rare and exceptional event if they do not sympathize with their own class in opinion and outlook. They are able to decide what news the great mass of newspaper readers shall be allowed to have. They can actually falsify the news, or, without going so far as that, they can carefully select it, giving such items as will stimulate the passions which they desire to stimulate, and suppressing such items as would provide the antidote. In this way the picture of the world in the mind of the average newspaper reader is made to be not a true picture, but in the main that which suits the interests of capitalists. This is true in many directions, but above all in what concerns the relations between nations. The mass of the population of a country can be led to love or hate any other country at the will of the newspaper proprietors, which is often, directly or indirectly, influenced by the will of the great financiers. So long as enmity between England and Russia was desired, our newspapers were full of the cruel treatment meted out to Russian political prisoners, the oppression of Finland and Russian Poland, and other such topics. As soon as our foreign policy changed, these items disappeared from the more important newspapers, and we heard instead of the misdeeds of Germany. Most men are not sufficiently critical to be on their guard against such influences, and until they are, the power of the Press will remain." [151]

Yet it is at least a question whether the influence exerted on the press by capitalism has been any greater or any more serious in its consequences than has been that exerted by the superpatriotism found in every country as the aftermath of the war spirit. Education, and all that it stands for, in America has been in serious danger of being undermined, of having all progress thwarted and of being set back half a century through the efforts of a super-patriotic press to impose on the schools its own conception of patriotism. It seems clear that a large part of the confusion in the public mind between information and education, and of the uncertainty as to the true function of education, has been created and fostered by the press. It has been a press overzealous in the cause of patriotism that has demanded the resignation of independent teachers who have honestly attempted to educate their pupils, and that has gloated over the persecution by authority of those whose personal opinions have been made the object of inquisitorial scrutiny.[152] And it is again a question as to whether the influence of a capitalistic press or of a super-patriotic press has been any more harmful than has been the influence of the strident voice of that part of the press that finds in class antagonisms and in revolution the only solution for the burdens that lie so heavy on the world.

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[151] Bertrand Russell, *Proposed Roads to Freedom*, p. 143–144.

It does not follow that two wrongs make a right, or that the reputed sins of the capitalistic press are counter-balanced by the reputed sins of the super-patriotic press, or, that the influence of both singly or together is nullified by that of the radical press. It does follow that the danger is ever-present of attributing to that branch of the press that at the moment is specially in disfavor all the sins of omission and commission of all other classes of the press. Once more it comes back to the impregnable position that "the chief duty of the public is to discriminate among newspapers,"[153] and to avoid as far as possible the all-inclusive general statement with reference to the press.

The great influence wielded by the press is in a measure explained by the belief that "nothing succeeds like success." Its prodigious energy in availing itself of the products of inventive genius, its extraordinary organization of news-collecting agencies that cover the world with a net from which nothing escapes, the corresponding organizations for the distribution of the printed paper, resulting in enormous and ever-increasing circulation, its spectacular "scoops" and the feats of individuals connected with it, its lavish use of wire, cable, and wireless service, and its reckless expenditures in attaining its ends, all appeal on the material side to the imagination and carry the conviction that the press is "the mightiest power on earth."

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[152] This may seem a hard saying, but it is based on an examination of a large number of journals. Very few have shown a genuine understanding of what the function of education is, as very few have not urged authorities to drive out of education its most independent representatives.

[153] Rollo Ogden, "Journalism and Public Opinion," *Proceedings of the American Political Science Association*, 1912, 9: 194–200.

The attitude of the press towards itself in no way tends to lessen the force of this conviction. It avails itself to the limit of its unrivalled opportunities to advertise itself in its own columns, as it also avails itself liberally of the advertising columns of other papers; it operates its presses behind plate glass windows, thus evoking the admiration as well as the curious interest of all passers-by; its praise of its own achievements and of the services it has rendered the public is accepted at its face value, however much it may partake of the I-killed-cock-robin spirit; and it constantly prints in its correspondence columns letters in fulsome praise of itself which a good-natured public tolerates while finding intolerable a corresponding attitude in an individual.

Thus the many triumphs the press has achieved have materially increased its influence. Honor and admiration are as a rule the portion of those who have surmounted difficulties and the press has had its full measure of both. Sometimes its triumphs are to be credited to the press collectively as when, at the annual meeting of the American National Press Association in San Francisco, April 22, 1915, the members in attendance were enabled to talk with New York by telephone. Sometimes they are the achievements of special newspapers, as when the London *Times*, during the siege of Paris in 1870, maintained a carrier pigeon post for the benefit of the French inside the walls of the city and their friends outside of Paris. The front page of the *Times* was filled with these messages, the page was photographed on a microscopic scale, the film was carried to Paris by pigeon, a magic lantern enlarged it, the messages were copied by post office officials, and then forwarded to their destination.[154] In 1873, the *Daily Telegraph* sent Mr. George Smith to Nineveh and in 1876 it "made a novel precedent in journalism by printing from week to week, in juxtaposition with the news of the day, decipherings of the Chaldean writings of five thousand years back."[155] The great speech of John Bright at Birmingham, January 26, 1875, contained five hundred and eighty-five thousand words,—material sufficient to fill three hundred columns of the average daily newspaper. This was taken down by reporters and forwarded by telegraph in the four and a half hours between eight-thirty in the evening and one o'clock the same night.[156] In 1878, the London *Times* was able, through the ingenuity and persistence of de Blowitz, to print the text of the Treaty of Berlin,—the preamble and sixty-four articles, and an English translation appended,—at the actual moment it was being signed.[157] The Chicago *Times*, in 1881, printed the longest telegram ever before inserted in an American newspaper when the revised version of the New Testament, about one hundred and eighteen thousand words, was telegraphed to it from New York.[158] *The Daily Telegraph* in 1908 was able to print an interview given its representative by the Kaiser and the echoes of the exploit have not yet died away.[159]

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[154] S. J. Reid, *Memoirs of Sir Wemyss Reid*, p. 168.

The text of the draft of the peace treaty was received in Washington, June 9, 1919. That night it was sent to the New York *Times* on twenty-four telegraph and telephone wires, and the entire text was published in the *Times*, June 10,—the only paper in the world that accomplished this feat. It filled sixty-two columns of space and nearly eight pages in a forty-page paper, thus exemplifying the belief of the *Times* that its readers desired news.[160]

In spite of extraordinary difficulties due to the difference in time, the reports of the work of the National Nominating Convention of the Democratic Party, meeting in San Francisco in 1920, were telegraphed to the members of the Associated Press on the Atlantic Coast and published there on the mornings following the sessions of the previous day. The New York *Times* forestalled difficulties that it feared might arise through limited telegraph facilities and it secured the use of wires through Canada. Thus news telegraphed from the convention hall in San Francisco was received at the *Times* office in New York within two minutes.[161]

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[155] G. H. Putnam, *Authors and their Public in Ancient Times*, p. 6.

[156] S. Whittaker, *Parliamentary Reporting in England, Foreign Countries, and the Colonies*. 1877.

[157] *Memoirs of Henri Stephan de Blowitz*, Chap. VI, "The Berlin Congress," pp. 116–139.

[158] A recent account of this "journalistic sensation" is given in the New York *World*, January 5, 1922.

[159] C. Gauss, *ed.*, *The German Emperor as Shown in his Public Utterances*, pp. 267–273.

[160] E. Davis, *History of the New York Times*, p. 382.

Scores and hundreds of these single, spectacular achievements of the press could be given showing how they appeal to the public mind by their very audacity and give the press a place of distinction. Often the more sustained policy directed towards the overthrow of a corrupt political machine, or securing a pure municipal water supply, or permanent improvement in international relations, may pass as a matter of course.

Many of these triumphs of the press are the conception and the achievement of individual journalists and exemplify de Blowitz's statement that "a man's success is in proportion to the trouble he takes." Some of these have been feats of memory, like those of "Memory" Woodfall in reporting the speeches in the House of Commons. De Blowitz had more than one such to his credit, as when in 1872 he and Delane had heard M. Thiers speak at Versailles. Delane left immediately for London and on opening *The Times* the next morning he found a two-column report of the speech telegraphed by his companion. Others represent the conquest of material obstacles, as when the English press obtained the copies of the Treaty of 1815. M. Mory of Calais, corresponding clerk of the English post office, had the exclusive privilege of forwarding English journals to the Continent and also foreign journals to England. The text of the treaty was published in the *Moniteur*, November 26, and Mory sent it by courier in thirty-three hours to London where it was published in all the morning papers and where the French ambassador read it for the first time.[162] The London *Times* received the speech of Louis Philippe at the opening of the Chamber in 1833 after the paper had gone to press and was already on sale and the staff had gone home, but John Walter, M. P., himself set up the copy, and in three hours a special edition was on sale.[163]

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[161] E. Davis, *History of the New York Times*, pp. 383–384.
The press had the benefit of another notable success when a transcontinental aeroplane carried with it copies of the New York *Times* and delivered them in San Diego, California, twenty-seven hours after leaving New York City.—Daily press, May 3–6, 1923.

[162] J. C. Francis, *Notes by the Way*, p. 197.

All these achievements, both intellectual and material, tend to give the press a reputation for omniscience and omnipotence and thereby to increase its influence. They explain in part the attraction journalism has as a career, since the very risks and dangers involved appeal to the spirit of adventure and make newspaper work a most alluring occupation to the ambitious. "Can you think of any avenue to power," wrote Henry D. Lloyd, "more independent . . . more in consonance with such tasks as I describe than Journalism? I can think of no profession which offers to the ambition a greater career than that of a man like Bowles or White or Greeley or Bennett."[164] Carl Schurz felt the same attractions, though after he had judicially balanced the limitations and the compensations of journalistic work he wrote that he enjoyed the work in every respect except that it scattered his best ideas in innumerable articles.[165]

To the young John Bigelow, who with light heart had entered journalism, the sense of responsibility for the way in which he used his opportunities quickly seemed almost overwhelming. He had blithely attacked Charles O'Connor in the columns of the New York *Evening Post*, but a letter to him from O'Connor, dated April 7, 1851, complaining of the unfair, personal attack on him brought the young journalist to his senses, and he later writes that not until laying down the letter had he so fully realized "how dangerous were the tools the journalist has to work with."[166]

The biographer of Lord Acton could but marvel at "the alacrity of such a man to devote a life of labour and learning to apparently transitory tasks, with little reward beyond the approval of his own literary and historical conscience, since the praise of contemporaries—Matthew Arnold's even—hardly came into count with him, [but it] sets a standard for all those who create or control serial literature, and robs of half its terrors the prophecy of Lamartine that the periodical must sooner or later supersede the book." [167]

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[163] *Modern Journalism*, by a London Editor, pp. 64–65. In Chap. VI, "Some Famous Feats in News-Gathering," pp. 61–74, have been collected accounts of famous "scoops."

Sir Philip Gibbs has described, in a syndicated article, his "scoop" in sending out his disclosure that the discovery of the North Pole claimed by Dr. Cook was a "fake." This has been called "the most famous scoop in the world."—Syracuse, N. Y. *Herald*, May 13, 1923.

[164] Caro Lloyd, *Life of Henry Demarest Lloyd*, I, 40.

[165] Letter to Mrs. Schurz from St. Louis, September 4, 1867. *Speeches, Correspondence and Political Papers*, I, 418.

[166] John Bigelow, *Retrospections of an Active Life*, I, 82.

It is the work of journalists of this type that has in turn given the profession its great influence. It is at least significant that the judgment against journalism as a career has been in large part based on the small financial return it offers those actively engaged in it. "A vast majority of the capital invested in journalism was not made from journals or furnished by journalists," [168] writes a journalist who gives a most depressing account of the profession and quite overlooks the application of his strictures to education and to other similar fields.

The general statement and the conclusions drawn from few or no particulars are nowhere more in evidence than they are in the judgments pronounced on the press, and nowhere are they more unjustifiable or more pernicious in their effects. Many newspapers exert a most malign influence on public and private morals and they merit all the opprobrium that has been cast upon them. But however much some representatives of the press deserve condemnation, it is unreasonable to pronounce a blanket sentence on the press. Evils exist in the press,—he who runs may read them. No panacea exists or ever can be found for them as there is none for the evils found in the church, in the state, in education, and in every other institution of society,—it is as little to be looked for as the cure-all once announced for physical ills. All that the historian can do in his use of the press as historical material is to diagnose the evils and avoid those that militate against his use of it. But because some papers are wholly unauthoritative, because others are in the main reliable but are in other respects defective, because all are in a way tainted with original sin, it does not follow that the historian must abandon all use of the press in his work. A deaf man may compose symphonies, a cripple plan a bridge, a man with a withered arm may win the race, and a blind man be an expert weaver. The press as a whole may rise superior to its limitations and, like the historian, wrest victory from defeat.

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[167] Abbot Gasquet, *Lord Acton and his Circle*, p. 372.

[168] J. W. Keller, "Journalism as a Career," *Forum*, August, 1893, 15: 691–704. Similar views are expressed in "Reminiscences of an Editor," *Forum*, January, 1896, 20: 631–640, and by W. Avenel, "Journalism as a Profession," *Forum*, May, 1898, 25: 366–374. A more hopeful opinion concerning the financial rewards is expressed by H. King, "The Pay and Rank of Journalists," *Forum*, January, 1895, 18: 587–596. H. M. Winslow discouraged young women from going into Journalism,—"Confessions of a Newspaper Woman," *Atlantic Monthly*, February, 1905, 95: 206–211.

CHAPTER XV

THE NEWSPAPER AND AUTHORITY

The journalist "aurait et la véracité de l'historien qui parle à la posterité, et l'intrépidité de l'avocat qui attaque les hommes puissants et la sagesse du législateur qui règne sur ses contemporains."—*Camille Desmoulins.*

"But you are subject to instant execution, at the pleasure of the Judge," said the Scot to the Bohemian.
"Be it so," returned the Bohemian; "I can but die so much the sooner."
"And to imprisonment also," said the Scot; "and where, then, is your boasted freedom?"
"In my thoughts," said the Bohemian, "which no chains can bind."—*Walter Scott.*

"Behold, the Kingdom of God is within you."

Two mutually repellent yet complementary sets of influences affect the use of the newspaper by the historian. One set of influences has been developed from within. They are the conditions for which the press itself is in large part responsible, although the press, like the individual, is never absolutely free. The second set of influences are those that come from without. The restraints of censorship and of regulation, the positive requirements of press bureaus and publicity committees, all enchain the press and prevent it from expressing itself with absolute freedom. The historian in his use of the press is hampered by conditions developed within the press itself, but he is equally hampered by the restrictions imposed from without.

The conditions that have developed from within are the ones that have most engaged the present day critics of the press, and that lead to the conclusion that the press, as regards all its internal conditions, must set up its own ideals and standards and must realize them without compulsion.

Probably the charge most frequently brought against the press is that it is inaccurate, and it is indeed probable that scores of errors can be found in every number of every newspaper published in the land. These inaccuracies are to be laid at the door of the press itself. No act of authority can make the press as a whole, or any single representative of it, either accurate in small things or authoritative in great ones.

How far short of the ideal even the best representatives of the press may fall in erecting standards, has been illustrated in the tests for accuracy applied to the New York *Times* in the news it published concerning the Russian Revolution of 1917. The deductions made in the investigation by the *New Republic* [1] were that primarily "the professional standards of journalism are not high enough, and the discipline by which standards are maintained not strong enough to carry the press triumphantly through a test so severe as that provided by the Russian Revolution." These standards are not high enough because reliance is placed on official purveyors of information, and also on semi-official and semi-authoritative, but anonymous statements. The phrase "officials of the State Department," "government and diplomatic sources," "reports reaching here," and "it is stated on high authority" are specious ones that come trippingly from the tongue but that carry not a feather's weight of evidence. Yet the press, and therefore its readers, accept them as reliable. Certain correspondents of the press are also untrustworthy because their reports are colored by their sympathies. Routine correspondents are often assigned to very difficult positions that demand expert knowledge and serious education and they thus may "seriously mislead a whole nation." The further inference was drawn that "at critical periods the time honored tradition of protecting news against editorials breaks down."

All of these deductions led the investigators of the *New Republic* to the very definite conclusion that the power to define and to enforce the standards of journalism is within the profession itself.

This situation has long been the burden of the best element of the press in all countries. Frederick Greenwood wrote to Goldwin Smith in 1905, "The most respectable journals admit rumours with every mark of invention upon them, but with the recommendation of being sensational or of confirming the views of the paper; and it often happens that news of that kind, reported with a qualifying 'it is said here' to-day, is dwelt upon to-morrow in a leading article as a highly significant matter of fact. This practice . . . is most daringly employed by newspapers with the largest circulation. . . . Syndicates in possession of three or four or half-a-dozen newspapers work upon 'purely business principles,' and the amalgamation of some of these is quite to be expected. . . . Meanwhile the influence of Parliament, its actual power in the State, has greatly diminished, and the Press gains what Parliament loses." [2]

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[1] Walter Lippmann and Charles Merz, "A Test of the News," Supplement, *New Republic*, August 4, 1920, 23: Part II, 42 pp.

Similar conclusions were deduced from personal experience as a journalist by Chester S. Lord [3] in saying that "as a profession, journalism has taken subordinate rank chiefly because we have not studied. From four to eight years of study are required of the other great professions. But any man may start a newspaper. He may be ignorant, careless of conduct, of unclean morals, and if so his edition will surely reflect these imperfections—for the newspaper does not rise above its editor."

It is at least noteworthy that from members of the press itself come indications that the importance of high standards for the press is recognized. Equally significant is the insistence that the press must itself enforce these standards.

Another criticism of the press is that it gives opinions rather than news while news is what the public wants. But what is news? It was news that a certain agreement in regard to the Adriatic question had been reached by the Allies, but the Italian opinion on this agreement was equally news, as was the opinion of the press correspondents that this agreement was not unanimously satisfactory to the members of the Peace Conference. It is news that a battle has been fought at great sacrifice of life, and it is equally news that in the opinion of those reporting it the victory was a Pyrrhic one. It is news that a magnificent charity ball has been given in a community, and it is equally news that certain bills due merchants and dressmakers on the part of some of the participants have been long overdue, as is equally news the opinion that the receipts from such a ball should more than balance expenses. It is news that a public meeting called to protest against certain measures of government has been broken up by the police, and it is also news that, in the opinion of many not attending it, the call for the meeting was entirely justifiable and interference with it unjustifiable. It is news that the sanitary conditions found by representatives of the press in countries little visited by tourists leave much to be desired, while in the opinion of these same representatives a few elementary improvements would effect great improvement and open up the country to persons desiring to visit it for archaeological purposes. It is news that a high official has been dismissed from office, and also news that public opinion has universally condemned the dismissal for the reasons assigned. It is news that the symphony concert of last evening was heard by a large audience, but it is also news that in the opinion of the leading musical critic of the best city paper the new conductor was a failure and the performance of the orchestra unsuccessful, and it is this opinion that will diminish the size of the audience at the next performance. The newspaper can not separate news from opinions since opinions themselves constitute news.

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[2] *Correspondence of Goldwin Smith*, pp. 439–440.

Compare P. W. Wilson, "Reporting Parliament and Congress," *North American Review*, September, 1921, 214: 326–333, and "Lost Prestige of Parliament," New York *Times Book Review and Magazine*, December 18, 1921.

[3] "Journalism as a Profession," Address before the Kansas Editorial Association, May 5, 1916.

Nor is it always possible to separate news from the personal opinions of those reporting news. The reporter or the correspondent may unduly put forward his own personal opinion, he may be mistaken in thinking that this opinion represents that of others besides himself and his own circle of friends, he may send in a "story" based on this opinion rather than on the kernel of news about which it was developed,—he may violate every commandment in the press decalogue and it would still hold true that it is as impossible to separate news from opinion as it is to pay the pound of flesh.

But even were it possible to make this separation, the press that achieved this impossibility could not endure. The mind demands movement, friction, attrition with other minds. News, in the generally accepted sense, is passive and informational and in and of itself can not permanently satisfy the alert, restless human mind that reaches out for coöperation with other minds; that seeks new opinions; that is dissatisfied with its own decisions and endeavors to find new points of view. A newspaper made up exclusively of news in the narrow interpretation of that word would be foredoomed to absolute failure.

We instinctively and unconsciously seek the opinions and judgments of others, and many wish most of all the opinions of experts. This is specially true in America where news-collecting agencies have made foreign and domestic news much the same throughout the country. It was through opinions that found expression in the newspaper that the country was unified in favor of war, then of peace, and then in favor of disarmament. The publication of the facts alone would have brought no knowledge of the country-wide opinions held in regard to them and it was this knowledge that resulted in concerted action to bring about conditions desired.

Lord Courtney long since pointed out that it is not possible or advisable to have papers giving only facts,—comments are necessary, if for no other reason, than to avoid hasty judgment. He illustrates his contention by the press of France,—the French read the papers to find out what one man or another is saying about politics, art, music, or literature. The French papers are thus one-man papers and this explains why they are so numerous, as it may also explain why every politician wishes to have his own newspaper.

But even assuming that it is possible to separate news from opinions, and that the function of the press is to give its readers only news, there still remains the question of standards in taste in the selection of news. The press has here entire freedom, and yet its standards still leave room for improvement. It is nearly a hundred years ago that Albany Fonblanque wrote:

"The mobbing in the streets does not seem to us a whit more annoying and unmannerly than this mobbing in the Press. In both there is the same low, vulgar, prying spirit.

"To perfect a prison in irksomeness, Bentham proposed to make it a panopticon, so that prisoners should feel that there was an eye upon them in every action, every motion, every gesture. The Press does its worst to render the Sovereign's palace a panopticon, and to subject its possessor to the annoyance of constant watching, and the ridiculous blazoning of every ordinary word and action." [4]

With the departure of "captains and kings," the attention of the press is no longer concentrated on the palaces of sovereigns, but the prying spirit remains. It is to-day directed towards the domestic affairs of private citizens who are millionaires; towards the blue-beards of modern society; towards the fight—"whether between men or dogs or armies"; towards whatever is sensational, hysterical, exaggerated, and abnormal. It is possible that this is "what the public wants," but it is impossible to touch pitch without being defiled. The representatives of the press that lower their standards to minister to vulgar taste are themselves thereby debased. "Never mind what you do, but do something,—that's what keeps us going," a reporter is said to have remarked to a publicity agent, and this indifference to standards can but affect the work of those connected with the press.

In still other ways is the press the slave of its own desire for news. The war gave a great impetus to every variety of propaganda; with the coming of peace, propaganda has developed into publicity of the most highly specialized form. The publicity of the pre-propaganda period was comparatively harmless and was often amusing in its naïve efforts to attract attention to inconspicuous persons,—thus much resembling the child who coughs when it has failed to attract notice by other devices. In comparison with the highly organized publicity of to-day, it was as a toy balloon is to the modern Zeppelin. The publicity agent to-day sits in every great business office; he directs campaigns for world-wide efforts to relieve human distress; to overthrow existing laws; to bring peace on earth and good-will among men; to "sell" the public what it ought not to buy; to substitute co-operation for competition among religious bodies; to promote individualism, nationalism, or internationalism. To the publicity agent, the end in view matters little,—"publicity's the thing."

All of this development of superpublicity from propaganda is one more illustration of the danger of playing with fire. Many representatives of the press at first accepted the "informational" work of the publicity department of the Government, euphemistically called the "Committee on Public Information," in the belief that they were thus fostering patriotism. A few papers protested against the expense;[5] much of the adverse criticism of others was purely political,—in the hands of Republicans the administration of publicity would presumably have seemed to them admirable. But probably others agreed with a writer who said: "Government by propaganda has been a secret instrument in the hands of autocratic rulers; government by propaganda is becoming doubtless with right, a frank, educational instrument in the hands of a self-governing democracy." [6]

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[4] E. B. de Fonblanque, *The Life and Labours of Albany Fonblanque*, p. 451.

Education by propaganda was the equivalent of education by injunction and to speak of education by either means was precisely the same as speaking of a square circle. To assume that education could be accomplished by passing information, either genuine or spurious, from above to those below was ignorantly to confuse information with education; to disregard the inherent desire of men, as well as of children, to find out things for themselves; to fail to recognize the exhilaration that comes from discovery; to misunderstand entirely the meaning and the function of education.

There was lacking nearly everywhere an understanding of the elemental facts that fire burns, whether it is started by an aristocrat or a democrat, and that fire spreads. A prominent weekly quickly announced that it had "been authorized to present each week a message from the United States Government to the American people." [7] Another weekly proposed that the government should take over the daily press of the country in the same fashion that it had taken over the railroads. "Government administration of the press," it declared, "would protect the public mind from further corruption by lies and misrepresentation and give the mind a chance to reach the real issues of this war by the only means within its pecuniary, mental, and physical reach." [8] This was indeed a significant recognition of the rapidity with which the contagion of propaganda had spread.

[5] New York *Times*, December 15, 1917.
[6] W. J. Black, New York *Tribune*, December 23, 1917.
[7] Cited by the New York *Tribune*, February 28, 1918.
[8] Cited by the New York *Evening Post*, May 29, 1918.

There were, it is true, many complaints of the Committee on Public Information. The charge that its cost was excessive was often made by Republican papers. Some found much of the publicity "mere junk"; others recognized that much of it was "inspired"; many complained of the amount of matter wasted; others found excessive duplication of different agencies and departments; some editors were annoyed in receiving its "stories," —saying in lordly fashion that while they might do well enough for country journals, they were not worth space in the metropolitan press; "none of their publicity copy is worth printing," said one journal, while another commented on "the settled prejudice of the active newspaper man against the exploiter"; others urged that "some agency should be constituted by the government to protect us against the flood of copy that is thrust upon us indiscriminately"; if "stories" were sent, the press said it wanted news,—that they could and wished to write their own stories,—others found the news sent out misleading and incorrect.[9]

Yet propaganda was like vice,—

"a monster of so frightful mien,
As to be hated needs but to be seen;
Yet seen too oft, familiar with her face,
We first endure, then pity, then embrace."

The press at first rejected propaganda, but an eminent journalist has shown how completely at its mercy the press has become and how serious a matter is the exploitation of the press by the publicity agent.[10]

The most insidious form that propaganda assumes is that of "the drive." Propaganda does not announce itself as such, but the drive wears the mask of virtue, it is clothed in sanctity, it has the fervent missionary zeal of the original propagandists, and the courage of the early martyrs. It is possible that the press collectively and individually is often unconscious of the extent to which its columns are used to promote drives for every conceivable object, but none the less the drive lays a heavy hand on the press and thereby limits its freedom. However admirable the object of the drive may be in itself—and it is usually most praiseworthy and above criticism—the drive is in reality authority in the guise of philanthropy, education, or other named "good cause." It is thus a form of propaganda and as such the newspaper carries out its behests without inquiry and it thereby becomes subject to its authority.

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[9] Summarized from the *Editor and Publisher*, cited by the New York *Tribune*, March 19, April 13, 1918.

[10] Roscoe C. E. Brown, "The Menace to Journalism," *North American Review*, November, 1921, 214: 610–618.—A different view is presented by Atherton Brownell, "Publicity—and its Ethics," *North American Review*, February, 1922, 215: 188–196, and "A Comment" on it by R. C. E. Brown, *Ib.*, pp. 197–199.

The drive is subversive of the authoritativeness of the press because its methods are not regulated by the press itself,—no campaign for "honest advertising" in drives has apparently as yet been anywhere introduced by the press. No drive ever yet failed "to put the best foot forward"; it carries with it no guarantees of its authoritativeness; it gives no information in regard to the financial condition of the organization in whose behalf the drive is being carried on; it seldom gives a complete statement of the needs it has been organized to meet; it is often deceptive in that while it does not tell untruths, it is usually misleading through what it omits to say; in only an extremely limited and superficial way is it of any help in reconstructing the past from the columns of the press.

It is often the drive in the form of the highest respectability that is most open to criticism. The Government, in its drives for loans, did not state that its bonds would never go below par, but no information was given that they probably would do so and to that extent its drives for loans were misleading if not positively deceptive. In its drives for recruits for the navy, the inducements held out to those enlisting were that they would "see foreign countries," "learn a trade," and secure other coveted advantages and opportunities. But no statements were made of the long and tedious distances between ports, the short time in harbors, the inability to change the occupation, or the probable homesickness, and weariness of monotony and of confinement. No intimation was given that more than one of the trades learned at sea was useless on land and that to be serviceable elsewhere it must be learned again "from the bottom up." In its drives for recruits for the army, the favorable side of army life was dwelt upon,—"clean athletics were planned for camps,"—but its disadvantages were never enlarged upon, nor was even allusion made to them, nor was the large number of desertions from the army ever advertised.

In all educational drives the end in view is admirable, but often the means used are questionable. The drive is for money, not for students, but the budget of an educational institution conducting a drive is not public property and its treasurer's reports have sometimes been refused or the copy loaned has been marked "confidential." No hint is given in the drive of skeletons in the closet; of the dead hands that still prescribe the teaching of certain tenets; of defects in its fundamental organization; of possible wastefulness or extravagance in the conduct of its affairs. The recent drive of a great university omitted all reference to the presence of women students on its campus, although from its earliest years women have attended it in large numbers and the university incorporated in its official seal the statement of its founder "I would build a university where any person may study any subject." It would assuredly be impossible to reconstruct even in bald outline any educational institution from its drives as conducted in the daily press.

It must be said, therefore, that while every other part of the press may be tested for its reliability and its authoritativeness, the drive is as yet without the pale. The press is subject to its authority and by so much is its freedom thereby limited.

In yet other ways it still remains true that the real enemy of a free press is the press itself. This is in large part due to the very nature of the press. Absorbed in affairs of the day it takes no thought for the morrow. Its chief concern is for public affairs, or for news affecting individuals of interest to the public; all of its own triumphs, which it unfailingly records, are for its achievements in these directions. Its cardinal characteristic is a curiosity that knows no boundaries of space. This often develops into investigation, but it never matures into research. It lives and thrives in an atmosphere of perpetual youth and when its insatiable desire "to know" is satisfied in one field, it turns to the conquest of new but similar worlds. It is preoccupied with the superficial aspects of life and hence concerns itself with the length and breadth of human affairs,—it seldom consciously and purposely goes below the surface. It has no desire to carry on research and to make positive contributions to human knowledge,—this indeed is not its function. It has, it is true, more than once sent out exploring expeditions to the most remote parts of the earth, but its interest in them has been confined to their news side. It has left the permanent results of the expeditions it has financed to the North Pole or to Africa to be garnered by others. It has promoted archaeological work in Egypt and the Orient, but it has not itself followed up the discoveries made. This does not contradict the statement that the great service of the press to the world is the service it makes to the future, but of this it is unconscious. In the hundreds of newspaper mottoes examined, but a single one has been noted that looks beyond the present. A hundred years ago *Niles' Register* proclaimed its aim to be "The Past—the Present—for the Future," but the future is for others, not for the press itself.

In its search for news the press often overreaches itself, and in its eagerness it often, perhaps unconsciously, appropriates without acknowledgment the work of others in a way that elsewhere would evoke the severest condemnation. A work printed in a foreign language is not infrequently turned into a magazine article without recognition of the source on which it is based. An important contribution to knowledge published in another language becomes newspaper "copy," and is used over again so many times by different newspapers following one another rather than the original text that proper names become unrecognizable[11] and the resulting article, when compared with its first form, illustrates admirably the once fashionable game of "gossip."

Sometimes the footnotes of a little-known book promise interesting material and they grow into a "story" that may fill a newspaper column the source of which is presumably recognized only by the author of the book. Often in a dull book are found numerous illustrations that in the hands of "one who knows how" may be turned into a sprightly magazine article with much less trouble and in much less time than was given by the author in collecting them. Again under the fostering hand of "one who knows how," a dry bibliography may blossom into a vivacious newspaper column without even a casual inspection of either the inside or the outside of the books themselves.

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[11] One of the claimants to the title of "the greatest newspaper in the world" a few years ago had an editorial based, perhaps unconsciously, on M. Périvier's account of the relations of M. Fiévée and Napoleon as given in his *Napoléon Journaliste*, but the name *Fiévée* appeared as the *Abbé Siéyès*.

Newspaper writers have been known to incorporate bodily articles of their own, first published in a weekly, into more pretentious magazine articles. They have also published second editions of their recollections as newspaper men under titles different from those borne by the first editions and thereby enhanced the sales of the later edition. The gist of a new book may be abstracted by an intelligent person and masquerade as a book review in the columns of a literary weekly.

It is indeed often difficult to draw the line between *meum* and *tuum;* ethics as well as colors have shades and gradations that imperceptibly pass from clearly recognized into undistinguishable situations of right and wrong; authors ought perhaps to rejoice that their own uninteresting products in book form undergo a sea change and become entertaining "stories" in the columns of the press. Yet when absolutely every allowance has been made, a sufficient number of indisputable, well-recognized, flagrant illustrations of the principle remain to justify the conclusion that many persons connected with the press are at least careless in their use of the work of others.

It is unfortunate that the press itself has apparently not turned its attention to questions of this nature; that much of this appropriation of the work of others goes on unheeded; that schools of journalism are absorbed in the technical side of journalism and seem to have less interest in the more humdrum side of their work. Much as the press has done in the direction of elevating its standards of business; of improving its canons of literary taste and style; of seeking everywhere authoritative material and of rejecting whatever will not stand the tests of authoritativeness,—there are still vast unoccupied fields not as yet entered, much less explored, by the press. The press is the slave of its own desire for news and it ultimately matters little what are its relations to external authority as long as it does not compass its own freedom.

It must not be forgotten that already great improvements have come in the press in its growing responsibility for its relations to the present. Higher standards have been set up and attained in all of its business affairs through the abandonment of the happy-go-lucky principle that for so many years characterized it, and through the adoption of better systems of organization; it has added business managers to its force; it has supported audit bureaus of circulations; it has abolished payment in kind from its subscription lists as the Church has abolished donation parties as part payment for the salaries of ministers, as the State is constructively abolishing "working out the road tax," and as education is substituting a full money wage for partial payment in "boarding round." In all of its business operations the newspaper press is aligning itself with the progressive methods that are everywhere improving the structure of business.

On its news publication side, it is abandoning pride in the "scoop," and through co-operation in great news-collecting agencies, it is increasing the authoritativeness of its news service. It is encouraging in the staffs of its different departments specialization based on adequate and thorough foundations; it has in a measure subdued its own cocksureness and omniscience; it has largely confined its intense partisanship in political affairs to the weeks immediately preceding elections, although each recurring political campaign still sees many members of the press accepting and even justifying platforms and candidates that had been in advance disapproved of and even condemned.

A greater appreciation of responsibility towards the public is seen in the refusal to accept pernicious and misleading advertising and in guaranteeing the truthfulness in letter and in spirit of all advertisements published. Improvement has come on the technical side through schools of journalism that have done much for the mechanics of the press. This is indicated by the very considerable number of books that have had their source in such schools and that have discussed the preparation and construction of "copy," of the reporter's "stories," of interviews, of editorials, or of advertisements. All of these improvements have influenced the externals of the press, but they have in no way affected its substance.

The press has until somewhat recently been controlled by the principle of competition that has governed other manufacturing and distributing industries. But it is falling into line and is substituting for it the principle of co-operation and of combination for mutual benefit rather than in restraint of trade. Great national and state associations of publishers, of editors, of advertisers, and of all the subsidiary parts of the press have found that in union there is strength.

But it can not be repeated too often or stated too emphatically that all of this very great progress has been made in the single direction of improving its external relationships with its patrons, rather than in the direction of perfecting its own inherent nature. The press is a composite, but associations of all its auxiliary and contributing parts do not make up the press. In a very real sense it is sometimes true that the whole is greater than the sum of all its parts and in the case of the press it is always true. All of the great associations representing parts of the press concern themselves with their own individual problems, but they do not discuss the vital questions that concern the press as a whole. Great national associations do not discuss the press in its entirety; schools of journalism do not study the press as a product of journalism; theories of the press as a whole do not come from the desks of eminent editors.

But the greatest of all questions connected with the press is that of its own freedom, and this is never considered in relation to its own responsibility for attaining it. From the very earliest days of the newspaper press, encomiums on it have been written, but freedom of the press has meant simply freedom from censorship in all its forms, from every kind of regulation, from every manifestation of the will of external authority. All of these forms of freedom, important as they are, concern only the freedom of the press on its mechanical or its external side.

Is it thus and thus only that true freedom of the press is secured? To the layman it seems otherwise. The press has never realized the truth of the biblical phrase "the kingdom of God is within you." The press has been fearless in attacking great public wrongs, but it has been timid in defending itself collectively and in coming to the rescue of its weakest representatives. The press still cowers before authority in the person of the government, in the form of political parties, in the guise of public opinion. When the liberal and the radical elements of the press have been in disfavor with authority in any form, it has been the press collectively that has been most intolerant of those members of the fraternity with whose views it has not sympathized. In so doing it has been blind to the great principle that it has thereby so much more firmly riveted the shackles of authority on itself. It has confused its personal dislike of the bad taste so often displayed by some of the representatives of this press, its narrow point of view, its self-consciousness, its love of martyrdom, its affectation, with the principle of its inalienable right to be all of these things until it learns a more desirable way.

It fails to realize that many of these characteristics are as unessential to the attainment of an honest, authoritative press as are the color of an editor's hair, the make of his automobile, or the style of architecture of the house he occupies. Republican newspapers do not cry out for a wholesale suppression of democratic papers, or the converse, yet both republican and democratic papers have alike cried out against the socialist press, the foreign language press, and every form of the press it has believed radical, or sometimes even liberal.

The press has been often entirely illogical. It has demanded freedom of the press in the abstract, it has expected freedom of the press in the concrete for itself, but it has protested against the claim to freedom of the press on the part of a weak, defenceless minority. The press has been afraid to ally itself for the sake of a principle with those representatives of the press whose opinions have apparently been for the time in discredit. Lincoln was eternally right in affirming that this country could not exist half free and half slave. To the same degree absolutely it is true that the press can not be free so long as any part of it is under the supremacy of an authority that regulates it, suppresses it, dominates it because it does not approve of it. The press collectively has been unconcerned by this anomaly, and it has not realized that every violation of the principle of freedom by the authority in control must inevitably react against the press as a whole.

Individual protests have been raised against this attitude of the press, but they have been feeble and ineffective because isolated. When the status of the New York *Call* was uncertain because of conflicting jurisdictions, and an appeal to the Federal Supreme Court was the only way of determining it, the Baltimore *Evening Sun* offered to contribute five hundred dollars towards the appeal,[12] but while an occasional unofficial word in support of the *Call* came in private or in public from those connected with other newspapers, no other offer of financial aid was made by any of them. "Most of them," remarks the *Survey*, "have not cared (so it seems) to engage in the fight, since the *Call* is a Socialist paper, and this fight seems to be primarily one for freedom of the Socialist press." [13] When later a meeting was called of representatives of the liberal and radical press to consider the question at stake, they one and all began to make excuse, and the results of the very few conferences of a half dozen persons, as far as known, were nugatory. Voltaire's thundering words to Helvetius, so often cited—"I wholly disapprove of what you say and will defend to the death your right to say it" [14]—has found but faint echo in the press in the application to colleagues pilloried for their beliefs.

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[12] The *Evening Sun*, June 29, 1921.

The editorial had stated: "THE EVENING SUN has no sympathy whatever with the political program of the *Call*. It is opposed to the setting up of socialism in any form, either peaceably or by force. It has combated the principles advocated by the *Call*, and will continue to do so, believing, as it does, such principles to be unsound. But, as we see it, the respectability or lack of respectability of that newspaper's doctrines in the estimate of ourselves or others has little to do with the case."

An interesting parallel comes from Germany. The *Berliner Tageblatt* said editorially: "Noske has again suppressed the *Republik*. It is not necessary for us to say that we have nothing in common with this newspaper, but that fact does not enable us to pass over the incident in silence. . . . It is, of course, a very simple measure to suppress a newspaper if it does not do what we wish, but it is not a desirable method of procedure and it is time to inquire whether different measures might not be adopted for instructing and improving the press. Our criminal code provides a remedy against papers which advocate violence. Press dictatorship is always an evil. We repeat that, although papers like the *Republik* have no reason to complain if they are treated in an arbitrary way, since they have never protested when their friends and comrades adopted similar measures toward papers they did not agree with, nevertheless the procedure is a bad one."—*Berliner Tageblatt*, May 3, 1919. C.

[13] "The Sun rises in Baltimore," *Survey*, July 16, 1921, 46: 491.

It is interesting to note that one of the first and staunchest supporters of the *Call*, in its difficulties with the Government, was the *Japan Chronicle*. "We do not much like the *Call* ourselves," it had said, "but we can not conceive that there is any reason for discriminating against it."—*Japan Chronicle*, March 12, 1921.

When "a cultivated man, of the gentlest and most lovable nature, a man of serene courage and quixotic devotion to what he considers his duty" has done foolish things, no prominent newspaper has troubled to state fairly his aim in life; when he has done one conspicuously foolish thing and a mob has outraged the law in showing its disapproval of his course, it becomes "a subject for newspaper applause and merriment." So far as known only one prominent paper had the courage, wisdom, and understanding in one such conspicuous case to come to his assistance and say "if you want to know what we consider a saddening spectacle, discreditable to American journalism and to every intelligence capable of mature reflection, we submit the picture of metropolitan newspapers whooping up a man hunt, and, in a vein of hardly disguised applause, encouraging the persecution of one whose ideas they happen to misunderstand." [15]

Mass meetings are called by and through the press to protest against physical outrages in Armenia or in Bulgaria, but the press does not take the initiative in calling mass meetings to protest against excessive and unwarranted regulation of the press; or against unconstitutional interference with freedom of the press; or in support of its colleagues restrained by authority in their legitimate field of publication.

This faint-heartedness on the part of the press may be due in part to its placing too low an estimate on its duties towards its colleagues. With perhaps quite unselfish motives it has not always realized its responsibilities and has been too willing to pass on to others obligations it ought itself to assume. Content with collecting and distributing authoritative news with all possible dispatch, it has rested content with the successes of the present.

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[14] Cited by the New York *Tribune* at the head of its page, "Letters to the Tribune's Editor," in its Sunday edition.

[15] C. Morley, "The Case of Bouck White," New York *Evening Post,* June 2, 1921.

See also F. L. Allen, "Newspapers and the Truth," *Atlantic Monthly*, January, 1922, 129: 44–54.

It is necessary to go still further and to say that one of the greatest obstacles in attaining true freedom of the press lies in the antagonisms cultivated by different branches of the press itself. It seems impossible to find any common ground that can be occupied by the conservative and by the progressive press. The conservative press clears its skirts of all association with its liberal colleagues; it goes out of its way to condemn them and all their works; it ignores their genuine efforts to ferret out public wrongs, and to work out a better basis on which to build more satisfactory social, industrial, and political relationships; it often becomes a Pharisee in its insistence that its own methods of dealing with recognized public evils are superior to those used by its opponents.

But granted that all these strictures have adequate foundation, two wrongs do not make a right, and the radical press is even more vigorous in its denunciations of those in the opposite camp. In season and out of season it inveighs against "subtle sophisms in the news" and puts forth its claim to be the only distributor of the truth; it upbraids the "capitalistic" press; it inveighs against "current newspaper misrepresentation," "corporation controlled agencies," and "the press of big business," yet in its own course of action it fails to exemplify the better way.

The burdens of the world are on the men and women of to-day and these burdens are multiplied by the mutual criminations and recriminations of the conservative and the radical press. Each denies to the other honesty of purpose and the judicial mind. Charges of suppression of the news are met by counter-charges of revolutionary propaganda; and sincere efforts to ascertain the truth are characterized as wilful obscuration of facts. International hatreds are to-day not more intense, or more deep-seated than are the mutual hatreds of the conservative and the liberal press.

All this bondage to suspicion, prejudice, and intolerance but defers to an indeterminate future that measure of freedom that the press might win from and for itself. Men are prone to pass on to others the responsibility they themselves ought to assume for their own errors, and in this respect the press is at one with all mankind. The press is equally at one with all mankind in its tendency to generalize from one particular, to indulge in the general statement, and, admitting that ten righteous men ought to save the city, to assert that they can not be found.

The press, as has been seen, has everywhere and always, although in differing degrees, suffered at the hands of external authority, and all of the restraints thus put on it have been designed to protect authority, not to benefit the press. Since little restriction is placed on the press, except where it criticizes the established order, it is the progressive part of the press that always suffers most under restraint. It suffers through the curb placed on it by authority in the form of business regulation; through the restraint on editorial opinion, on the collection of news, on the free expression of literary, dramatic, musical, and artistic criticism. From all of the various forms of the exercise of authority through prohibitive measures the press suffers less than it does from the attempt to exercise positive control over it by press bureaus, publicity committees, press agents, and every form of external influence. The authority that censors is less an enemy of truth than is the authority that controls; the blue pencil of authority is less dangerous than is authority that guides the hand of the writer.

The press itself is naturally restive under both negative restraint and positive control, but both are often defended on the ground that it is what the public wants. The public does indeed often rejoice that certain forms of restraint have been placed on the press, yet the public is never unanimous as to the kind of restraint to be approved. One element wishes legislation forbidding the publication of news and comments concerning private individuals, while another part resents the slightest diminution in the stream of gossip concerning private persons and it is ever ready to add to this volume of idle talk the news of its own comings and goings, interests and achievements. Many persons have the instincts of the detective and resent any limitation in the supply of news exposing the wrong-doings abroad in the land. To others secrecy is second nature and they resent with equal force the publication of what they consider "it's nobody's business" to know. Some persons wish publicity for themselves, others wish their actions concealed. Thus the press is always between two fires. The complaint is made on the one side that it suppresses, because it does not give the news; on the other hand that it attacks individuals without warrant, and that it is sensational and libellous.

Yet the conservative press has never realized that Gresham's law, that bad money drives out good money, has its application to the press; that all the restraints of external authority on the inferior press, if you please, affect disastrously the superior press; that the conservative press can not be free while the radical press is in chains; that the external control of the press under which the press has for three centuries been so justly restive and even rebellious, will not be eliminated or even measurably lessened until the press itself more effectively formulates higher standards for its collective guidance and rigorously enforces them against all violators of them.[16]

If in every country freedom of the press in concrete form has had a different application due to its own internal conditions, all countries have been in substantial agreement that freedom of the press has meant the abstract principle of emancipation from arbitrary external control, and the placing of responsibility for its conduct on the press itself. As the profession of law has had its own code of legal morality and has itself debarred those members of the profession who have fallen short of its high standards; as the medical profession has also managed the violations of its own code of medical ethics; as education is coming to inquire into external and irregular control over its policies,[17] to protest against such control, and to establish principles of action for its future collective guidance; so by analogy it seems probable that freedom of the press will be realized only as in each and every country the press itself raises the standards of the profession and compels conformity to them.

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[16] An interesting illustration of a recent effort to formulate such standards is found in the "Oregon Code of Ethics for Journalism," adopted January 14, 1922 by the Oregon State Editorial Association and the Annual Oregon Newspaper Conference in joint session at the University of Oregon.

Nothing in the history of the newspaper press has been more significant than the efforts that have recently been made in this direction. Kansas newspaper men in 1910 had anticipated Oregon, as the Missouri Press Association had done in 1921, and had drawn up a code of ethics for newspapers, but it was not until 1922 that there was general concerted discussion of the subject on the part of the press. In February, 1922, J. S. Myers compiled a collection of codes and creeds that had been drawn up by individual journalists or press associations and this was published as one of its bulletins by Ohio State University. A few months later, the *Annals of the American Academy of Political and Social Science* gave large space to considering "Ethical Standards for Journalists."—May, 1922, 101:169–195, 211–220, 283–297.

The National Association of Newspaper Editors at its meeting in Washington in April, 1923, drew up canons intended to codify the sound practice and just aspirations of American journalism. These were copied and favorably commented on far and wide. See, *e. g.*, Bruce Bliven, "Newspaper Morals," *New Republic*, May 30, 1923, 35: 17–19.

A score of national organizations and associations, important regional and local clubs, and various educational institutions have been noted that during the first half of 1923 have urged higher ethical standards for the press. See, *e. g.*, the resolution of the British Institute of Journalists adopted March, 1923.—*Christian Science Monitor*, May 8, 1923.

The stream does not rise higher than its source, and the failure on a part of the press to set up higher standards results in pessimism in the press itself,[18] in a skepticism about the press on the part of the public, and in a general lowering of the tone of society. "One of the main achievements of the newspaper press during the last quarter of a century," wrote a cynical journalist in 1889, "has been to deidealize public life; to lay the axe to the root of duty, self-devotion, sacrifice, the elements of the moral greatness of a nation, which is its true greatness." [19]

True freedom of the press from all controlling authority has yet to be won and it can be won only by the press itself. Every restriction that authority has been able to devise may be removed from the press and the press may still be in fetters,—fetters wrought by its own low standards, its own timidity, its own irresponsibility, its own failure to perceive its obligations to others. Freedom of the press will not come before the press genuinely believes in freedom of the press, and finds for itself freedom in the mind "which no chains can bind." The great press associations that have thus far considered each some partial aspect of the press have in reality secured only improvements in journalism, and they have, so it seems to an outsider, done little to improve the welfare of the press. Before genuine freedom of the press comes, before freedom from irksome authority is gained, the impetus towards it must come from the press itself. The great press associations have not discussed freedom of the press or determined what is comprised in that term, or in what their duty to it consists. They have not apparently believed in "one big union" that might officially confer with authority and determine how they could be mutually of service. Authority has often feared the power of the press and has attempted at times to conciliate it. But true freedom of the press does not come through the policy of conciliation on either side,—it is founded on fearlessness and perfect understanding. The conflict between the newspaper and authority that has been of a three centuries' duration will be settled only when the press asserts its right to true freedom and claims it from authority. The true freedom of the press lies, and lies only, within the keeping of the press itself.

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[17] See editorial, "The Subversion of Public Education," *New Republic*, February 1, 1922, 29: 259–262.

[18] F. N. Maude, "Pessimism in the Press and its Causes," *Contemporary Review*, May, 1918, 113: 495–498.

[19] W. S. Lilly, "The Ethics of Journalism," *Forum*, July, 1889, 7: 503–512.

The general subject is admirably discussed by Burges Johnson, "The Ethics of the Pen," *The Well of English and the Bucket*, pp. 129–149.—See also A. Gorren, "The Ethics of Modern Journalism," *Scribner's Magazine*, April, 1896; 19: 507–513.

BIBLIOGRAPHICAL NOTES

The material used in this work is perhaps sufficiently well indicated in the foot-notes to make a complete bibliography unnecessary. It may conveniently be divided into several general classes, each characterized by certain advantages from the point of view of the student of history.

The studies made of the press have varied in different countries according to the nature of the question that has been most prominent in each.

In England the most important question connected with the press has been its regulation by the government. This was in reality coeval with the introduction of the newspaper into England, but in its early phases it took the form of licensing and the protests against it. Regulation proper began in 1712 and it extended practically over one hundred and seventy-five years and the protests against it form the most considerable body of literature in England dealing with the press. It includes all the controversial material growing out of the John Wilkes case and the Letters of Junius; the almost countless prosecutions for blasphemous and seditious libel of the late eighteenth and the nineteenth centuries; the war of the unstamped press; and the more recent controversies over the respective spheres of government and of the press. It ranges from the amiable notices of the *Spectator* and the *Tatler*, through the acrimonious debates recorded in *Hansard*, and the mutually irritating attacks of the editors of the unstamped press and their prosecutors at the hands of the government, to the exchange of invectives by prime ministers and conspicuous editors in 1921.

In France the question has primarily been a contest between authority and the press over censorship in all its forms and a mass of material is available for the study of this phase of the subject. The exhaustive works of M. Hatin have practically covered every question concerning the press as it has arisen in France, but these have been supplemented or in some cases treated more extensively and intensively by later writers. The press, especially its legal aspects, has been a favorite subject for investigation by French scholars and in no other country has so important a contribution been made to the discussion of this permanent but ever-changing relation between the newspaper and authority. Whether it is cause or result is immaterial, the fact remains that successive volumes of the laws concerning the press, not only in France but in other countries, make it possible to study the legislation dealing with the press, from its inception to the present time, to an extent not found elsewhere.

The question in Germany was apparently for many years of comparatively little moment, but with the advent of Bismarck it took the form of propaganda and developed like the banyan tree. If in England the relation of authority to the press was that of a general regulation of the press and in France, of censorship of the press, in Germany it has been that of this direct control of the press. The material dealing with the press therefore varies correspondingly in the different countries.

The recent war brought out in Germany in exaggerated form every phase of the newspaper question and it has fortunately been possible to examine at first hand many of these questions as they arose in that country. A collection of 20,000 photostated slips giving extracts from German newspapers during the period when such papers were not received in this country has been available. All the extracts are translated, but a considerable number are given in both German and English. The selection was made and the translations edited by Dr. Victor S. Clark. The origin of these extracts used in the text is indicated by the use of the letter "C". These selections were made from twenty newspapers and periodicals covering different shades of political allegiance. With the first mention of a German newspaper, a characterization of it has been given, selected from competent authority, usually *The New Europe.*

The following statement with reference to the slips was prepared by Dr. Clark, May 17, 1920: "The following cards contain summaries and translations of articles appearing in German newspapers and periodicals received by the National Board for Historical Research from the Central Powers during the war and the first months of the Armistice These summaries and translations were made primarily for the use of Government departments and the Military Intelligence Office in Washington and at the Headquarters of the American Army in France. They were dictated by me personally to stenographers, and, so far as my time permitted, were subsequently read and obvious errors corrected. They were indexed under headings agreeing loosely with a plan drawn up by the House Inquiry in New York, with which we coöperated. While it was the intention to make each translation or summary sufficiently complete to be intelligible and useful without referring to the paper or publication from which it was taken, the general plan of our work contemplated referring back to the original files, which were kept in our office for that purpose, wherever it seemed necessary or desirable."

A collection of practically 15,000 clippings relating exclusively to the press has been available. These are mounted, dated, elaborately classified, and filed, and they form an invaluable record of the press and its activities, as well as of its present-day problems. The American press, especially after 1914, often gave verbatim reports of debates and discussions in the Reichstag and also published in full or through extracts the official regulations of the press, especially in Germany.[1]

The Vassar College Library has a complete file of the *Moniteur* to 1900;

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[1] The classification and filing of this collection has been largely the work of M. L. Berkemeier. Grateful acknowledgment of her skill and interest is appreciatively made.

a practically perfect file of the New York *Herald;* unbroken sets of Hansard's *Debates;* the debates of Congress; long files of English and American judicial decisions; and sets of the leading American, English, French, and German reviews. This material, while not rare or unusual, has been of great service in the record it gives of the public discussion of problems connected with the newspaper press of every country.

As in the companion volume, *The Newspaper and the Historian,* a great part of the present volume has been derived from the material contained in the Justice Collection of Works on the Press. This collection has been made possible through bequests of the late Henry Justice and Anna Justice of Philadelphia. It numbers more than two thousand items dealing with the newspaper press, as distinguished from journalism, and it gives an important foundation for a study of all aspects of the newspaper press.

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